

## ¶109.39 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. CRANE (for himself, Mr. BE-REUTER, Mr. MATSUI, Mr. GILMAN, Mr. BERMAN, and Mr. PORTER):

H.R. 4807. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Mongolia; to the Committee on Ways and Means.

By Mr. SNOWBARGER (for himself, Mr. KANJORSKI, and Mr. DAVIS of Virginia):

H.R. 4808. A bill to amend the Federal Deposit Insurance Act to permit an affiliation between a depository institution and the holding company successor to the Student Loan Marketing Association under certain circumstances and subject to certain conditions; to the Committee on Banking and Financial Services.

By Mr. ABERCROMBIE (for himself and Mrs. MINK of Hawaii):

H.R. 4809. A bill for the relief of the State of Hawaii; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 4810. A bill to amend the Internal Revenue Code of 1986 to increase the deductibility of business meal expenses for individuals subject to Federal hours of service; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 4811. A bill to amend the Federal Deposit Insurance Act and the Federal Credit Union Act to prohibit fees for using teller windows at depository institutions, and for other purposes; to the Committee on Banking and Financial Services.

By Mr. DREIER:

H.R. 4812. A bill to make the Federal employees health benefits program available to individuals age 55 to 65 who would not otherwise have health insurance, and for other purposes; to the Committee on Government Reform and Oversight, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself and Mr. BURR of North Carolina):

H.R. 4813. A bill to amend the Communications Act of 1934 to protect critical infrastructure radio systems from interference and to promote efficient spectrum management of the private land mobile radio bands, and for other purposes; to the Committee on Commerce.

By Mr. POMEROY (for himself and Mr. HILL):

H.R. 4814. A bill to provide for the harmonization of registrations of certain pesticides used on canola; to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUINN:

H.R. 4815. A bill to provide that December 7 each year shall be treated for all purposes related to Federal employment in the same manner as November 11; to the Committee on Government Reform and Oversight.

By Mr. REDMOND (for himself and Mrs. WILSON):

H.R. 4816. A bill to authorize the acquisition of the Valles Caldera currently managed by the Baca Land and Cattle Company, to provide for an effective land and wildlife management program for this resource with-

in the Department of Agriculture through the private sector, and for other purposes; to the Committee on Resources.

By Mr. SOLOMON (for himself and Mr. SAM JOHNSON of Texas):

H.R. 4817. A bill to provide a location in Arlington, Virginia, for construction of a memorial to honor the men and women who have served in the United States Air Force; to the Committee on National Security, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON (for himself, Mr. TOWNS, Ms. MILLENDER-MCDONALD, Ms. PELOSI, Ms. LEE, Ms. CHRISTIAN-GREEN, Mrs. MINK of Hawaii, Mrs. MEEK of Florida, Ms. KILPATRICK, Ms. SLAUGHTER, Mr. HILLIARD, Mr. SCOTT, and Mr. FROST):

H.R. 4818. A bill to provide that payments of the earned income tax credit are to be disregarded for 12 months in determining eligibility for benefits under the program of block grants to States for temporary assistance for needy families, the supplemental security income program, the Medicaid Program, and public housing programs; to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Banking and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIVINGSTON:

H.J. Res. 134. A joint resolution making further continuing appropriations for the fiscal year 1999, and for other purposes; to the Committee on Appropriations.

By Mr. ARCHER (for himself, Mr. REGULA, Mr. BUNNING of Kentucky, Mr. DICKEY, Mr. ENGLISH of Pennsylvania, Mr. WELLER, and Mr. ADERHOLT):

H. Con. Res. 350. Concurrent resolution calling on the President to take all necessary measures under existing law to respond to the significant increase of steel imports resulting from the financial crises in Asia, Russia, and other regions, and for other purposes; to the Committee on Ways and Means.

## ¶109.40 MEMORIALS

Under clause 4 of rule XXII,

401. The SPEAKER presented a memorial of the General Assembly of the State of Georgia, relative to House Resolution Number 856, urging the United States Congress, the Secretary of Agriculture, and the Federal Crop Insurance Corporation to revise comprehensively the existing laws, regulations, and policies with respect to the Federal Crop Insurance Program in order to adequately protect farmers against unavoidable crop losses and to prevent the serious reduction in farm operations and farm acreage throughout the nation; to the Committee on Agriculture.

[*Re-Deferred: Memorial 303*]

303. By the SPEAKER: A memorial of the Legislature of the State of Idaho, relative to House Joint Memorial No. 10 memorializing the recognition of state and county rights-of-way under Revised Statute 2477 and take appropriate action to invalidate the proposed policy change for forest roadless areas; jointly, to the Committees on Agriculture and Resources. May 4, 1998.

## ¶109.41 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 18: Mrs. WILSON.

H.R. 40: Mr. WYNN.

H.R. 158: Mr. MANZULLO.

H.R. 2995: Mr. TOWNS and Mr. TORRES.

H.R. 3024: Mr. THOMPSON.

H.R. 3568: Mr. BALDACCIO.

H.R. 3778: Mr. PITTS.

H.R. 3956: Mr. PALLONE.

H.R. 3988: Mr. BALDACCIO.

H.R. 4126: Mrs. THURMAN.

H.R. 4332: Mr. NORWOOD.

H.R. 4344: Mr. PICKETT, Mr. PORTMAN, Mr. BAESLER, and Mr. GIBBONS.

H.R. 4467: Mr. NEAL of Massachusetts and Mr. PASCRELL.

H.R. 4683: Mr. PORTMAN and Ms. WATERS.

H.R. 4729: Mrs. LINDA SMITH of Washington.

H.R. 4761: Mr. BEREUTER.

H.J. Res. 40: Mr. KILDEE.

H. Con. Res. 322: Mr. BLUMENAUER.

H. Res. 554: Mr. PAPPAS, Mr. WATTS of Oklahoma, Ms. RIVERS, and Mr. MCGOVERN.

## ¶109.42 PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

81. The SPEAKER presented a petition of Compton City Council, Compton, California, relative to a Resolution of the City Council of the City of Compton Opposing Mandatory Social Security Coverage for State and Local Employees (Resolution No. 19,214); to the Committee on Ways and Means.

82. Also, a petition of the United Seniors Association, relative to Urging the Congress of the United States to enact H.R. 857; to the Committee on Ways and Means.

## TUESDAY, OCTOBER 13, 1998 (110)

## ¶110.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order at 9 o'clock a.m. by the SPEAKER pro tempore, Mr. PETRI, who laid before the House the following communication:

WASHINGTON, DC,  
October 13, 1998.

I hereby designate the Honorable THOMAS E. PETRI to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

Whereupon, pursuant to the order of the House of Tuesday, January 21, 1997, Members were recognized for "morning-hour debate".

## ¶110.2 RECESS—9:01 A.M.

The SPEAKER pro tempore, Mr. PETRI, pursuant to clause 12 of rule I, declared the House in recess until 10 o'clock a.m.

## ¶110.3 AFTER RECESS—10 A.M.

The SPEAKER pro tempore, Mr. SHIMKUS, called the House to order.

## ¶110.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. SHIMKUS, announced he had examined and approved the Journal of the proceedings of Monday, October 12, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

## ¶110.5 COMMUNICATIONS

Under clause 2, rule XXIV,

11676. A letter from the Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to

Section 3 of the Arms Export Control Act; was referred to the Committee on International Relations.

#### ¶110.6 MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 214. Concurrent resolution recognizing the contributions of the cities of Bristol, Tennessee, and Bristol, Virginia, and their people to the origins and development of Country Music, and for other purposes.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 700. An Act to remove the restriction on the distribution of certain revenues from the Mineral Springs parcel to certain members of the Agua Caliente Band of Cahuilla Indians.

H.R. 2327. An Act to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors who are 17 years of age and who engage in the operation of automobiles and trucks.

The message also announced that the Senate had passed bills and a concurrent resolution of the following titles in which the concurrence of the House is requested:

S. 1642. An Act to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public.

S. 1722. An Act to amend the Public Health Service Act to revise and extend certain program with respect to women's health research and prevention activities at the National Institutes of Health and the Centers for Disease Control and Prevention.

S. 2116. An Act to clarify and enhance the authorities of the Chief Information Officer of the Department of Agriculture.

S. Con. Res. 123. Concurrent resolution to express the sense of Congress regarding the policy of the Forest Service toward recreational shooting and archery ranges on Federal land.

The message also announced, that pursuant to Public Law 100-696, the Chair, on behalf of the Democratic Leader, announces the appointment of the Senator from North Dakota (Mr. DORGAN) as a member of the United States Capitol Preservation Commission.

#### ¶110.7 NATIONAL PARK SERVICE CONCESSION MANAGEMENT

Mr. HANSEN moved to suspend the rules and pass the bill of the Senate (S. 1693) to provide for improved management and increased accountability for certain National Park Service programs, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. HANSEN and Mr. MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. VENTO objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.8 U.S. COMMITMENT TO CITIZENS OF GUAM

Mr. YOUNG of Alaska moved to suspend the rules and agree to the following resolution (H. Res. 494):

Whereas the Chamorro people have inhabited Guam and the Mariana Islands for at least 4,000 years and developed a unique and autonomous seafaring agrarian culture, governing themselves through their own form of district government;

Whereas in 1565 the Kingdom of Spain claimed the islands of the Chamorro people, which were named the Ladrones by Ferdinand Magellan in 1521 and renamed the Marianas by the Jesuit missionary Diego Luis de San Vitores in 1668, to secure the trans-Pacific route of the Manila-Acapulco Galleon Trade, then, upon San Vitores's death in 1672, the islands were placed under military governance;

Whereas in 1898 the United States defeated the Kingdom of Spain in the Spanish-American War and acquired Guam, Puerto Rico, and the Philippines by virtue of the Treaty of Paris;

Whereas, in signing the treaty, the United States Government accepted responsibility for its new possessions and agreed that Congress would determine the civil rights and political status of the native inhabitants, as stated specifically in Article IX;

Whereas President William McKinley, by Executive Order 108-A on December 23, 1898, placed the island of Guam under the administration of the United States Navy, which administered and governed the island, initially as a coaling station, then as a major supply depot at the end of World War II;

Whereas a series of rulings popularly known as the "Insular Cases", issued by the United States Supreme Court from 1901 to 1922, defined Guam as an "unincorporated territory" in which the United States Constitution was not fully applicable;

Whereas the United States Naval Government of Guam was forced to surrender the island of Guam to the invading forces of the Japanese Imperial Army on December 10, 1941, after which Japanese occupation and control of Guam lasted until the United States Forces recaptured the island in 1944;

Whereas Guam is the only remaining United States territory to have been occupied by Japanese forces during World War II, the occupation lasting for 32 months from 1941 to 1944;

Whereas the people of Guam remained loyal to the United States throughout the Japanese occupation, risked torture and death to help clothe and feed American soldiers hiding from enemy forces, and were subjected to forced labor, ruthless executions, and other brutalities for their support of the United States;

Whereas, upon liberation of the people of Guam, the island was returned to United States Navy governance, which, like its pre-war predecessor, limited the civil and political rights of the people, despite numerous appeals and petitions to higher authorities and Congress for the granting of United

States citizenship and relief from military rule;

Whereas in 1945, upon establishment of the United Nations, the United States voluntarily listed Guam as a nonself-governing territory, pursuant to Article 73 of the United Nations Charter, and today Guam continues to be included in this list;

Whereas on March 6, 1949, the House of Assembly, the lower house of the popularly elected 9th Guam Congress, which was merely an advisory body to the Naval Governor of Guam, adjourned in protest over the limitation of its legislative rights granted to it by the United States Department of the Navy in 1947 and refused to reconvene until the United States Congress enacted an organic act for Guam;

Whereas the Organic Act of Guam (64 Stat. 384) passed by Congress and signed by President Truman on August 1, 1950, statutorily decreed Guam's status as an "unincorporated territory", established a three-branched civilian government patterned after the Federal model, and conferred United States citizenship upon the people of Guam;

Whereas, since the granting of American citizenship, the people of Guam have greater participation in the American democratic processes and some measure of self-government;

Whereas the people of Guam, who strongly adhere to the belief that a government should derive power and right from the governed, successfully gathered enough support to push for the passage of the Elective Governor Act (Public Law 90-497) on September 11, 1968, and in which Congress granted the people of Guam the right to elect their own governor and lieutenant governor;

Whereas the Congress enacted the Guam-Virgin Islands Delegate bill on April 10, 1972, allowing for Guam to have a nonvoting delegate in the United States House of Representatives, and although the delegate is not accorded a vote on the floor of the House of Representatives, it is still one of the benchmarks in Guam's political evolution and heightens Guam's visibility in the national arena;

Whereas, although Congress authorized in Public Law 94-584, the formation of a locally drafted constitution, the subsequent Guam Constitution, it was not ratified by Guam's electorate through a referendum on August 4, 1979;

Whereas concerns regarding Guam's political status led the Twelfth Guam Legislature to create the first political status commission in 1973, known as the Status Commission, the Thirteenth Guam Legislature in 1975 created another commission, known as the Second Political Status Commission, to address Guam's political status issue and explore alternative status options, and in 1980, the existing Guam Commission on Self-Determination (CSD) was created to identify and pursue the status choice of the people of Guam, and in 1996 the Twenty-Fourth Guam Legislature created the Commission on Decolonization to continue pursuing Guam's political status;

Whereas the CSD, after conducting studies on 5 Guam political status options, proceeded to conduct a public education campaign, which was followed by a status referendum on January 12, 1982 in which 49 percent of the people of Guam voted for Commonwealth, 26 percent for Statehood, 10 percent for Status Quo, 5 percent for Incorporated Status, 4 percent for Free Association, 4 percent Independence, and 2 percent for other options;

Whereas on September 4, 1982, a runoff was held between commonwealth and statehood, the top options from the January referendum, with the outcome of the runoff resulting in 27 percent voting for statehood

and 73 percent of Guam's electorate casting their votes in favor of a close relationship with the United States through a Commonwealth of Guam structure for local self-government;

Whereas in 1988 the people of Guam first presented the Guam Commonwealth Act to Congress to meet the various aspirations of the people of Guam, which bill has been re-introduced by Guam's Congressional delegates since 1988 until the present;

Whereas Congress has continued to enact other measures to address the various aspirations of the people of Guam, while considering legislative approaches to advance self-government without precluding Guam's further right of self-determination, consistent with the national political climate that emphasizes decentralization of the decision making process from Washington to the local governments and a relationship with the Federal Government that is based on mutual respect and consent of the governed; and

Whereas the people of Guam are loyal citizens of the United States and have repeatedly demonstrated their commitment to the American ideals of democracy and civil rights, as well as to American leadership in times of peace as well as war, prosperity as well as want: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes 100 years of Guam's loyalty and service to the United States; and

(2) will use the centennial anniversary of the 1898 Spanish-American War to reaffirm its commitment to the United States citizens of Guam for increased self-government, consistent with self-determination for the people of Guam.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. YOUNG of Alaska and Mr. MILLER of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MILLER of California, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.9 HOMEOWNERSHIP EXPANSION

Mr. LAZIO moved to suspend the rules and pass the bill (H.R. 3899) to expand homeownership in the United States; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. LAZIO and Mr. KENNEDY of Massachusetts, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶110.10 FEDERAL REPORTS ELIMINATION

Mr. HORN moved to suspend the rules and pass the bill of the Senate (S. 1364) to eliminate unnecessary and wasteful Federal reports; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. HORN and Mr. KUCINICH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. KUCINICH, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.11 YEAR 2000 COMPUTER PROBLEM

Mrs. MORELLA moved to suspend the rules and pass the bill (H.R. 4756) to ensure that the United States is prepared to meet the Year 2000 computer problem; as amended.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mrs. MORELLA and Mr. BARCIA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BARCIA, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.12 TRAVEL REPORTS OF EXECUTIVE BRANCH

Mr. SMITH of New Jersey moved to suspend the rules and pass the bill (H.R. 4805) to require reports on travel of Executive branch officers and employees to international conferences, and for other purposes.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SMITH of New Jersey and Mr. HAMILTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HAMILTON, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.13 WRONGFUL EXPROPRIATION BY FORMERLY TOTALITARIAN GOVERNMENTS

Mr. SMITH of New Jersey moved to suspend the rules and agree to the following resolution (H. Res. 562):

Whereas totalitarian regimes, including Fascist and Communist dictatorships, have caused immeasurable human suffering and loss, degrading not only every conceivable human right, but the human spirit itself;

Whereas the villainy of communism was dedicated, in particular, to the organized and systematic destruction of private property ownership, including ownership of real, personal, business, and financial property, by individuals and communities;

Whereas the confiscation of property without compensation by totalitarian regimes was often designed to victimize people because of religion, ethnicity, national or social origin, or opposition to such regimes;

Whereas certain individuals and communities twice suffered the taking of their properties without compensation, first by the Nazis and their collaborators and next by subsequent Communist regimes;

Whereas churches, synagogues, mosques, and other religious properties, as well as properties such as hospitals, schools and orphanages owned by religious communities, were destroyed or confiscated as a means of breaking the spiritual devotion and allegiance of religious people and dismantling religious communities;

Whereas refugees from communism, in addition to being wrongfully deprived of their property, were often forced to relinquish their citizenship in order to protect themselves and their families from reprisals by the Communists who ruled their countries;

Whereas the participating States of the Organization for Security and Cooperation in Europe have agreed to achieve or maintain full recognition and protection of all types of property, including private property, and the right to prompt, just and effective compensation in the event private property is taken for public use;

Whereas the countries of Central and Eastern Europe, the Caucasus, and Central Asia, have entered a post-Communist period of transition and democratic development, and many countries have begun the difficult and wrenching process of trying to right the wrongs of previous totalitarian regimes;

Whereas many countries in Central and Eastern Europe have enacted laws providing for the restitution of properties that were illegally or unjustly seized, nationalized, confiscated, or otherwise expropriated by totalitarian regimes;

Whereas legal or administrative restrictions that require claimants to reside in, or be a citizen of, the country from which they seek restitution of, or compensation for, wrongfully expropriated property are arbitrary, discriminatory, and in violation of international law; and

Whereas the rule of law and democratic norms require that the activity of governments and their administrative agencies be

exercised in accordance with the laws passed by their parliaments or legislatures, and such laws themselves must be consistent with international human rights standards: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) welcomes the efforts of many formerly totalitarian countries to address the complex and difficult question of the status of wrongfully expropriated properties;

(2) urges countries which have not already done so to return wrongfully expropriated properties to their rightful owners or, when actual return is not possible, to pay prompt, just and effective compensation, in accordance with principles of justice and in a manner that is just, transparent and fair;

(3) calls for the return of wrongfully expropriated properties to religious communities;

(4) calls on Croatia, the Czech Republic, Latvia, Lithuania, Romania, Slovakia, and any other nation whose laws or regulations limit restitution or compensation for wrongfully expropriated properties to persons who reside in, or are citizens of, the country from which restitution or compensation is sought, to remove such restrictions; and

(5) urges formerly totalitarian countries to pass and effectively implement laws that provide for restitution of, or compensation for, wrongfully expropriated property.

SEC. 2. The Clerk of the House of Representatives shall transmit a copy of this resolution to the President.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. SMITH of New Jersey and Mr. HAMILTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HAMILTON, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.14 GABON ELECTIONS

Mr. GILMAN moved to suspend the rules and agree to the following resolution (H. Res. 518); as amended:

Whereas Gabon is a heavily forested and oil-rich country on central Africa's west coast;

Whereas Gabon gained independence from France in 1960;

Whereas the Government of Gabon is involved in ongoing efforts to mediate regional conflicts;

Whereas Gabon is scheduled to hold national elections in December 1998 for the purpose of electing a President;

Whereas Gabon was subject to single-party rule until 1990;

Whereas the International Foundation for Election Systems (IFES) and the Africa America Institute (AAI) served as observers during the organization of the 1993 Presidential and legislative elections in Gabon and found widespread electoral irregularities;

Whereas the Government of Gabon is a signatory to the "Paris Accords" of 1994, approved by national referendum in July 1995, which provides for a state of law guaran-

teeing basic individual freedoms and the organization of free and fair elections under a new independent national election commission;

Whereas the people of Gabon have demonstrated their support for the democratic process through the formation of numerous political parties since 1990 and their strong participation in prior elections; and

Whereas it is in the interest of the United States to promote political and economic freedom in Africa and throughout the world: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes and commends the Government of Gabon's ongoing efforts to resolve central African conflicts;

(2) recognizes and commends those Gabonese who have demonstrated their love for free and fair elections;

(3) commends the Gabonese Government for inviting IFES to perform a pre-election assessment study;

(4) calls on the Gabonese Government—

(A) to take further measures to help ensure a credible election and to ensure that the election commission remains independent and impartial; and

(B) to further welcome IFES, the National Democratic Institute, the International Republican Institute, or other appropriate international nongovernmental organizations to aid the organization and oversight of, the December 1998 Presidential election in Gabon, in an effort to ensure that these elections in Gabon are free and fair;

(5) urges the Government of Gabon to take all necessary and lawful steps toward conducting free and fair elections;

(6) calls on the international community to join the United States in offering their assistance toward conducting free and fair elections in Gabon;

(7) urges the United States Government to continue to provide support directly and through appropriate nongovernmental organizations to aid the organization of free and fair elections in Gabon; and

(8) urges the United States Government and the international community to continue to encourage the Government of Gabon to ensure a lasting and committed transition to democracy.

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mr. GILMAN and Mr. HASTINGS of Florida, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HASTINGS of Florida, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.15 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2807. An Act to amend the Rhinoceros and Tiger Conservation Act of 1994 to prohibit the sale, importation, and exportation of products labeled as containing substances derived from rhinoceros or tiger.

The message also announced that the Senate agrees to the report of the Committee of Conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1260) "An Act to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes."

#### ¶110.16 INSTITUTE OF STANDARDS AND TECHNOLOGY AUTHORIZATION

Mrs. MORELLA moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 1274) to authorize appropriations for the National Institute of Standards and Technology for fiscal years 1998 and 1999, and for other purposes.

Strike out all after the enacting clause and insert:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Technology Administration Act of 1998".*

##### SEC. 2. MANUFACTURING EXTENSION PARTNER-SHIP PROGRAM CENTER EXTENSION.

*Section 25(c)(5) of the National Institute of Standards and Technology Act (15 U.S.C. 278k(c)(5)) is amended by striking "which are designed" and all that follows through "operation of a Center." and inserting in lieu thereof "After the sixth year, a Center may receive additional financial support under this section if it has received a positive evaluation through an independent review, under procedures established by the Institute. Such an independent review shall be required at least every two years after the sixth year of operation. Funding received for a fiscal year under this section after the sixth year of operation shall not exceed one third of the capital and annual operating and maintenance costs of the Center under the program."*

##### SEC. 3. MALCOLM BALDRIGE QUALITY AWARD.

(a) *ADDITIONAL AWARDS.*—Section 17(c)(3) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3711a(c)(3)) is amended by inserting "unless the Secretary determines that a third award is merited and can be given at no additional cost to the Federal Government" after "in any year".

(b) *CATEGORIES.*—Section 17(c)(1) of the Stevenson-Wylder Technology Innovation Act of 1980 (15 U.S.C. 3711a(c)(1)) is amended by adding at the end the following:

"(D) Health care providers.

"(E) Education providers."

##### SEC. 4. NOTICE.

(a) *REDESIGNATION.*—Section 31 of the National Institute of Standards and Technology Act is redesignated as section 32.

(b) *NOTICE.*—The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by inserting after section 30 the following new section:

##### "NOTICE

"SEC. 31. (a) *NOTICE OF REPROGRAMMING.*—If any funds authorized for carrying out this Act are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

"(b) *NOTICE OF REORGANIZATION.*—

"(1) *REQUIREMENT.*—The Secretary shall provide notice to the Committees on Science and

Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the Institute.

"(2) DEFINITION.—For purposes of this subsection, the term "major reorganization" means any reorganization of the Institute that involves the reassignment of more than 25 percent of the employees of the Institute."

#### SEC. 5. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.

With the year 2000 fast approaching, it is the sense of Congress that the National Institute of Standards and Technology should—

(1) give high priority to correcting all 2-digit date-related problems in its computer systems to ensure that those systems continue to operate effectively in the year 2000 and beyond; and

(2) develop contingency plans for those systems that the Institute is unable to correct in time.

#### SEC. 6. ENHANCEMENT OF SCIENCE AND MATHEMATICS PROGRAMS.

(a) DEFINITIONS.—In this section—

(1) EDUCATIONALLY USEFUL FEDERAL EQUIPMENT.—The term "educationally useful Federal equipment" means computers and related peripheral tools and research equipment that is appropriate for use in schools.

(2) SCHOOL.—The term "school" means a public or private educational institution that serves any of the grades of kindergarten through grade 12.

(b) SENSE OF CONGRESS.—

(1) IN GENERAL.—It is the sense of Congress that the Director of the National Institute of Standards and Technology should, to the greatest extent practicable and in a manner consistent with applicable Federal law (including Executive Order No. 12999), donate educationally useful Federal equipment to schools in order to enhance the science and mathematics programs of those schools.

(2) REPORTS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Director of the National Institute of Standards and Technology shall prepare and submit to the President a report. The President shall submit the report to Congress at the same time as the President submits a budget request to Congress under section 1105(a) of title 31, United States Code.

(B) CONTENTS OF REPORT.—The report prepared by the Director under this paragraph shall describe any donations of educationally useful Federal equipment to schools made during the period covered by the report.

#### SEC. 7. TEACHER SCIENCE AND TECHNOLOGY ENHANCEMENT INSTITUTE PROGRAM.

The National Institute of Standards and Technology Act (15 U.S.C. 271 et seq.) is amended by inserting after section 19 the following:

"SEC. 19A. (a) The Director shall establish within the Institute a teacher science and technology enhancement program to provide for professional development of mathematics and science teachers of elementary, middle, and secondary schools (as those terms are defined by the Director), including providing for the improvement of those teachers with respect to the understanding of science and the impacts of science on commerce.

"(b) In carrying out the program under this section, the Director shall focus on the areas of—

"(1) scientific measurements;

"(2) tests and standards development;

"(3) industrial competitiveness and quality;

"(4) manufacturing;

"(5) technology transfer; and

"(6) any other area of expertise of the Institute that the Director determines to be appropriate.

"(c) The Director shall develop and issue procedures and selection criteria for participants in the program.

"(d) The program under this section shall be conducted on an annual basis during the summer months, during the period of time when a majority of elementary, middle, and secondary schools have not commenced a school year.

"(e) The program shall provide for teachers' participation in activities at the laboratory facilities of the Institute, or shall utilize other means of accomplishing the goals of the program as determined by the Director, which may include the Internet, video conferencing and recording, and workshops and conferences."

#### SEC. 8. OFFICE OF SPACE COMMERCIALIZATION.

(a) ESTABLISHMENT.—There is established within the Department of Commerce an Office of Space Commercialization (referred to in this section as the "Office").

(b) DIRECTOR.—The Office shall be headed by a Director, who shall be a senior executive and shall be compensated at a level in the Senior Executive Service under section 5382 of title 5, United States Code, as determined by the Secretary of Commerce.

(c) FUNCTIONS OF THE OFFICE; DUTIES OF THE DIRECTOR.—The Office shall be the principal unit for the coordination of space-related issues, programs, and initiatives within the Department of Commerce. The primary responsibilities of the Director, in carrying out the functions of the Office, shall include—

(1) promoting commercial provider investment in space activities by collecting, analyzing, and disseminating information on space markets, and conducting workshops and seminars to increase awareness of commercial space opportunities;

(2) assisting United States commercial providers in the efforts of those providers to conduct business with the United States Government;

(3) acting as an industry advocate within the executive branch of the Federal Government to ensure that the Federal Government meets the space-related requirements of the Federal Government, to the fullest extent feasible, using commercially available space goods and services;

(4) ensuring that the United States Government does not compete with United States commercial providers in the provision of space hardware and services otherwise available from United States commercial providers;

(5) promoting the export of space-related goods and services;

(6) representing the Department of Commerce in the development of United States policies and in negotiations with foreign countries to ensure free and fair trade internationally in the area of space commerce; and

(7) seeking the removal of legal, policy, and institutional impediments to space commerce.

#### SEC. 9. EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE TECHNOLOGY.

Section 5 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3704) is amended by adding at the end the following:

"(f) EXPERIMENTAL PROGRAM TO STIMULATE COMPETITIVE TECHNOLOGY.—

"(1) IN GENERAL.—The Secretary, acting through the Under Secretary, shall establish for fiscal year 1999 a program to be known as the Experimental Program to Stimulate Competitive Technology (referred to in this subsection as the "program"). The purpose of the program shall be to strengthen the technological competitiveness of those States that have historically received less Federal research and development funds than those received by a majority of the States.

"(2) ARRANGEMENTS.—In carrying out the program, the Secretary, acting through the Under Secretary, shall—

"(A) enter into such arrangements as may be necessary to provide for the coordination of the program through the State committees established under the Experimental Program to Stimulate Competitive Research of the National Science Foundation; and

"(B) cooperate with—

"(i) any State science and technology council established under the program under subparagraph (A); and

"(ii) representatives of small business firms and other appropriate technology-based businesses.

"(3) GRANTS AND COOPERATIVE AGREEMENTS.—In carrying out the program, the Secretary, acting through the Under Secretary, may make grants or enter into cooperative agreements to provide for—

"(A) technology research and development;

"(B) technology transfer from university research;

"(C) technology deployment and diffusion; and

"(D) the strengthening of technological capabilities through consortia comprised of—

"(i) technology-based small business firms;

"(ii) industries and emerging companies;

"(iii) universities; and

"(iv) State and local development agencies and entities.

"(4) REQUIREMENTS FOR MAKING AWARDS.—

"(A) IN GENERAL.—In making awards under this subsection, the Secretary, acting through the Under Secretary, shall ensure that the awards are awarded on a competitive basis that includes a review of the merits of the activities that are the subject of the award.

"(B) MATCHING REQUIREMENT.—The non-Federal share of the activities (other than planning activities) carried out under an award under this subsection shall be not less than 25 percent of the cost of those activities.

"(5) CRITERIA FOR STATES.—The Secretary, acting through the Under Secretary, shall establish criteria for achievement by each State that participates in the program. Upon the achievement of all such criteria, a State shall cease to be eligible to participate in the program.

"(6) COORDINATION.—To the extent practicable, in carrying out this subsection, the Secretary, acting through the Under Secretary, shall coordinate the program with other programs of the Department of Commerce.

"(7) REPORT.—

"(A) IN GENERAL.—Not later than 90 days after the date of enactment of the Technology Administration Act of 1998, the Under Secretary shall prepare and submit a report that meets the requirements of this paragraph to the Secretary. Upon receipt of the report, the Secretary shall transmit a copy of the report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science of the House of Representatives.

"(B) REQUIREMENTS FOR REPORT.—The report prepared under this paragraph shall contain with respect to the program—

"(i) a description of the structure and procedures of the program;

"(ii) a management plan for the program;

"(iii) a description of the merit-based review process to be used in the program;

"(iv) milestones for the evaluation of activities to be assisted under the program in fiscal year 1999;

"(v) an assessment of the eligibility of each State that participates in the Experimental Program to Stimulate Competitive Research of the National Science Foundation to participate in the program under this subsection; and

"(vi) the evaluation criteria with respect to which the overall management and effectiveness of the program will be evaluated."

#### SEC. 10. NATIONAL TECHNOLOGY MEDAL FOR ENVIRONMENTAL TECHNOLOGY.

In the administration of section 16 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711), Environmental Technology shall be established as a separate nomination category with appropriate unique criteria for that category.

#### SEC. 11. INTERNATIONAL ARCTIC RESEARCH CENTER.

The Congress finds that the International Arctic Research Center is an internationally-supported effort to conduct important weather and climate studies, and other research projects of benefit to the United States. It is, therefore,

*the sense of the Congress that, as with similar research conducted in the Antarctic, the United States should provide similar support for this important effort.*

The SPEAKER pro tempore, Mr. SHIMKUS, recognized Mrs. MORELLA and Mr. BARCIA, each for 20 minutes.

After debate,

The question being put, viva voice,

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BARCIA, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SHIMKUS, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.17 ECONOMIC DEVELOPMENT ADMINISTRATION REFORM

Mr. SHUSTER moved to suspend the rules and pass the bill of the Senate (S. 2364) to reauthorize and make reforms to programs authorized by the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965.

The SPEAKER pro tempo, Mr. SHIMKUS, recognized Mr. SHUSTER and Mr. OBERSTAR, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SHIMKUS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶110.18 HEALTH PROFESSIONS EDUCATION PARTNERSHIPS

Mr. BLILEY moved to suspend the rules and pass the bill of the Senate (S. 1754) to amend the Public Health Service Act to consolidate and reauthorize health professions and minority and disadvantaged health professions and disadvantaged health education programs, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. BLILEY and Mr. BROWN of Ohio, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BROWN of Ohio, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.19 SECURITIES LITIGATION UNIFORM STANDARD

Mr. BLILEY moved to suspend the rules and agree to the following conference report (Rept. No. 105-803):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1260), to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the "Securities Litigation Uniform Standards Act of 1998".

##### SEC. 2. FINDINGS.

The Congress finds that—

(1) the Private Securities Litigation Reform Act of 1995 sought to prevent abuses in private securities fraud lawsuits;

(2) since enactment of that legislation, considerable evidence has been presented to Congress that a number of securities class action lawsuits have shifted from Federal to State courts;

(3) this shift has prevented that Act from fully achieving its objectives;

(4) State securities regulation is of continuing importance, together with Federal regulation of securities, to protect investors and promote strong financial markets; and

(5) in order to prevent certain State private securities class action lawsuits alleging fraud from being used to frustrate the objectives of the Private Securities Litigation Reform Act of 1995, it is appropriate to enact national standards for securities class action lawsuits involving nationally traded securities, while preserving the appropriate enforcement powers of State securities regulators and not changing the current treatment of individual lawsuits.

#### TITLE I—SECURITIES LITIGATION UNIFORM STANDARDS

##### SEC. 101. LIMITATION ON REMEDIES.

(a) AMENDMENTS TO THE SECURITIES ACT OF 1933.—

(1) AMENDMENT.—Section 16 of the Securities Act of 1933 (15 U.S.C. 77p) is amended to read as follows:

##### "SEC. 16. ADDITIONAL REMEDIES; LIMITATION ON REMEDIES.

"(a) REMEDIES ADDITIONAL.—Except as provided in subsection (b), the rights and remedies provided by this title shall be in addition to any and all other rights and remedies that may exist at law or in equity.

"(b) CLASS ACTION LIMITATIONS.—No covered class action based upon the statutory or common law of any State or subdivision thereof may be maintained in any State or Federal court by any private party alleging—

"(1) an untrue statement or omission of a material fact in connection with the purchase or sale of a covered security; or

"(2) that the defendant used or employed any manipulative or deceptive device or con-

trivance in connection with the purchase or sale of a covered security.

"(c) REMOVAL OF COVERED CLASS ACTIONS.—Any covered class action brought in any State court involving a covered security, as set forth in subsection (b), shall be removable to the Federal district court for the district in which the action is pending, and shall be subject to subsection (b).

"(d) PRESERVATION OF CERTAIN ACTIONS.—

"(1) ACTIONS UNDER STATE LAW OF STATE OF INCORPORATION.—

"(A) ACTIONS PRESERVED.—Notwithstanding subsection (b) or (c), a covered class action described in subparagraph (B) of this paragraph that is based upon the statutory or common law of the State in which the issuer is incorporated (in the case of a corporation) or organized (in the case of any other entity) may be maintained in a State or Federal court by a private party.

"(B) PERMISSIBLE ACTIONS.—A covered class action is described in this subparagraph if it involves—

"(i) the purchase or sale of securities by the issuer or an affiliate of the issuer exclusively from or to holders of equity securities of the issuer; or

"(ii) any recommendation, position, or other communication with respect to the sale of securities of the issuer that—

"(I) is made by or on behalf of the issuer or an affiliate of the issuer to holders of equity securities of the issuer; and

"(II) concerns decisions of those equity holders with respect to voting their securities, acting in response to a tender or exchange offer, or exercising dissenters' or appraisal rights.

"(2) STATE ACTIONS.—

"(A) IN GENERAL.—Notwithstanding any other provision of this section, nothing in this section may be construed to preclude a State or political subdivision thereof or a State pension plan from bringing an action involving a covered security on its own behalf, or as a member of a class comprised solely of other States, political subdivisions, or State pension plans that are named plaintiffs, and that have authorized participation, in such action.

"(B) STATE PENSION PLAN DEFINED.—For purposes of this paragraph, the term 'State pension plan' means a pension plan established and maintained for its employees by the government of the State or political subdivision thereof, or by any agency or instrumentality thereof.

"(3) ACTIONS UNDER CONTRACTUAL AGREEMENTS BETWEEN ISSUERS AND INDENTURE TRUSTEES.—Notwithstanding subsection (b) or (c), a covered class action that seeks to enforce a contractual agreement between an issuer and an indenture trustee may be maintained in a State or Federal court by a party to the agreement or a successor to such party.

"(4) REMAND OF REMOVED ACTIONS.—In an action that has been removed from a State court pursuant to subsection (c), if the Federal court determines that the action may be maintained in State court pursuant to this subsection, the Federal court shall remand such action to such State court.

"(e) PRESERVATION OF STATE JURISDICTION.—The securities commission (or any agency or office performing like functions) of any State shall retain jurisdiction under the laws of such State to investigate and bring enforcement actions.

"(f) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

"(1) AFFILIATE OF THE ISSUER.—The term 'affiliate of the issuer' means a person that directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with, the issuer.

"(2) COVERED CLASS ACTION.—



"(A) IN GENERAL.—The term 'covered class action' means—

"(i) any single lawsuit in which—  
 "(I) damages are sought on behalf of more than 50 persons or prospective class members, and questions of law or fact common to those persons or members of the prospective class, without reference to issues of individualized reliance on an alleged misstatement or omission, predominate over any questions affecting only individual persons or members; or

"(II) one or more named parties seek to recover damages on a representative basis on behalf of themselves and other unnamed parties similarly situated, and questions of law or fact common to those persons or members of the prospective class predominate over any questions affecting only individual persons or members; or

"(ii) any group of lawsuits filed in or pending in the same court and involving common questions of law or fact, in which—

"(I) damages are sought on behalf of more than 50 persons; and

"(II) the lawsuits are joined, consolidated, or otherwise proceed as a single action for any purpose.

"(B) EXCEPTION FOR DERIVATIVE ACTIONS.—Notwithstanding subparagraph (A), the term 'covered class action' does not include an exclusively derivative action brought by one or more shareholders on behalf of a corporation.

"(C) COUNTING OF CERTAIN CLASS MEMBERS.—For purposes of this paragraph, a corporation, investment company, pension plan, partnership, or other entity, shall be treated as one person or prospective class member, but only if the entity is not established for the purpose of participating in the action.

"(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the discretion of a State court in determining whether actions filed in such court should be joined, consolidated, or otherwise allowed to proceed as a single action.

"(3) COVERED SECURITY.—The term 'covered security' means a security that satisfies the standards for a covered security specified in paragraph (1) or (2) of section 18(b) at the time during which it is alleged that the misrepresentation, omission, or manipulative or deceptive conduct occurred, except that such term shall not include any debt security that is exempt from registration under this title pursuant to rules issued by the Commission under section 4(2)."

(2) CIRCUMVENTION OF STAY OF DISCOVERY.—Section 27(b) of the Securities Act of 1933 (15 U.S.C. 77z-1(b)) is amended by inserting after paragraph (3) the following new paragraph:

"(4) CIRCUMVENTION OF STAY OF DISCOVERY.—Upon a proper showing, a court may stay discovery proceedings in any private action in a State court as necessary in aid of its jurisdiction, or to protect or effectuate its judgments, in an action subject to a stay of discovery pursuant to this subsection."

(3) CONFORMING AMENDMENTS.—Section 22(a) of the Securities Act of 1933 (15 U.S.C. 77v(a)) is amended—

(A) by inserting "except as provided in section 16 with respect to covered class actions," after "Territorial courts,"; and

(B) by striking "No case" and inserting "Except as provided in section 16(c), no case".

(b) AMENDMENTS TO THE SECURITIES EXCHANGE ACT OF 1934.—

(1) AMENDMENT.—Section 28 of the Securities Exchange Act of 1934 (15 U.S.C. 78bb) is amended—

(A) in subsection (a), by striking "The rights and remedies" and inserting "Except as provided in subsection (f), the rights and remedies"; and

(B) by adding at the end the following new subsection:

"(f) LIMITATIONS ON REMEDIES.—

"(1) CLASS ACTION LIMITATIONS.—No covered class action based upon the statutory or common law of any State or subdivision thereof may be maintained in any State or Federal court by any private party alleging—

"(A) a misrepresentation or omission of a material fact in connection with the purchase or sale of a covered security; or

"(B) that the defendant used or employed any manipulative or deceptive device or contrivance in connection with the purchase or sale of a covered security.

"(2) REMOVAL OF COVERED CLASS ACTIONS.—Any covered class action brought in any State court involving a covered security, as set forth in paragraph (1), shall be removable to the Federal district court for the district in which the action is pending, and shall be subject to paragraph (1).

"(3) PRESERVATION OF CERTAIN ACTIONS.—

"(A) ACTIONS UNDER STATE LAW OF STATE OF INCORPORATION.—

"(i) ACTIONS PRESERVED.—Notwithstanding paragraph (1) or (2), a covered class action described in clause (ii) of this subparagraph that is based upon the statutory or common law of the State in which the issuer is incorporated (in the case of a corporation) or organized (in the case of any other entity) may be maintained in a State or Federal court by a private party.

"(ii) PERMISSIBLE ACTIONS.—A covered class action is described in this clause if it involves—

"(I) the purchase or sale of securities by the issuer or an affiliate of the issuer exclusively from or to holders of equity securities of the issuer; or

"(II) any recommendation, position, or other communication with respect to the sale of securities of an issuer that—

"(aa) is made by or on behalf of the issuer or an affiliate of the issuer to holders of equity securities of the issuer; and

"(bb) concerns decisions of such equity holders with respect to voting their securities, acting in response to a tender or exchange offer, or exercising dissenters' or appraisal rights.

"(B) STATE ACTIONS.—

"(i) IN GENERAL.—Notwithstanding any other provision of this subsection, nothing in this subsection may be construed to preclude a State or political subdivision thereof or a State pension plan from bringing an action involving a covered security on its own behalf, or as a member of a class comprised solely of other States, political subdivisions, or State pension plans that are named plaintiffs, and that have authorized participation, in such action.

"(ii) STATE PENSION PLAN DEFINED.—For purposes of this subparagraph, the term 'State pension plan' means a pension plan established and maintained for its employees by the government of a State or political subdivision thereof, or by any agency or instrumentality thereof.

"(C) ACTIONS UNDER CONTRACTUAL AGREEMENTS BETWEEN ISSUERS AND INDENTURE TRUSTEES.—Notwithstanding paragraph (1) or (2), a covered class action that seeks to enforce a contractual agreement between an issuer and an indenture trustee may be maintained in a State or Federal court by a party to the agreement or a successor to such party.

"(D) REMAND OF REMOVED ACTIONS.—In an action that has been removed from a State court pursuant to paragraph (2), if the Federal court determines that the action may be maintained in State court pursuant to this subsection, the Federal court shall remand such action to such State court.

"(4) PRESERVATION OF STATE JURISDICTION.—The securities commission (or any agency or office performing like functions) of any State shall retain jurisdiction under the laws of such State to investigate and bring enforcement actions.

"(5) DEFINITIONS.—For purposes of this subsection, the following definitions shall apply:

"(A) AFFILIATE OF THE ISSUER.—The term 'affiliate of the issuer' means a person that directly or indirectly, through one or more intermediaries, controls or is controlled by or is under common control with, the issuer.

"(B) COVERED CLASS ACTION.—The term 'covered class action' means—

"(i) any single lawsuit in which—

"(I) damages are sought on behalf of more than 50 persons or prospective class members, and questions of law or fact common to those persons or members of the prospective class, without reference to issues of individualized reliance on an alleged misstatement or omission, predominate over any questions affecting only individual persons or members; or

"(II) one or more named parties seek to recover damages on a representative basis on behalf of themselves and other unnamed parties similarly situated, and questions of law or fact common to those persons or members of the prospective class predominate over any questions affecting only individual persons or members; or

"(ii) any group of lawsuits filed in or pending in the same court and involving common questions of law or fact, in which—

"(I) damages are sought on behalf of more than 50 persons; and

"(II) the lawsuits are joined, consolidated, or otherwise proceed as a single action for any purpose.

"(C) EXCEPTION FOR DERIVATIVE ACTIONS.—Notwithstanding subparagraph (B), the term 'covered class action' does not include an exclusively derivative action brought by one or more shareholders on behalf of a corporation.

"(D) COUNTING OF CERTAIN CLASS MEMBERS.—For purposes of this paragraph, a corporation, investment company, pension plan, partnership, or other entity, shall be treated as one person or prospective class member, but only if the entity is not established for the purpose of participating in the action.

"(E) COVERED SECURITY.—The term 'covered security' means a security that satisfies the standards for a covered security specified in paragraph (1) or (2) of section 18(b) of the Securities Act of 1933, at the time during which it is alleged that the misrepresentation, omission, or manipulative or deceptive conduct occurred, except that such term shall not include any debt security that is exempt from registration under the Securities Act of 1933 pursuant to rules issued by the Commission under section 4(2) of that Act.

"(F) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to affect the discretion of a State court in determining whether actions filed in such court should be joined, consolidated, or otherwise allowed to proceed as a single action."

(2) CIRCUMVENTION OF STAY OF DISCOVERY.—Section 21D(b)(3) of the Securities Exchange Act of 1934 (15 U.S.C. 78u-4(b)(3)) is amended by adding at the end the following new subparagraph:

"(D) CIRCUMVENTION OF STAY OF DISCOVERY.—Upon a proper showing, a court may stay discovery proceedings in any private action in a State court, as necessary in aid of its jurisdiction, or to protect or effectuate its judgments, in an action subject to a stay of discovery pursuant to this paragraph."

(c) APPLICABILITY.—The amendments made by this section shall not affect or apply to

any action commenced before and pending on the date of enactment of this Act.

#### SEC. 102. PROMOTION OF RECIPROCAL SUBPOENA ENFORCEMENT.

(a) COMMISSION ACTION.—The Securities and Exchange Commission, in consultation with State securities commissions (or any agencies or offices performing like functions), shall seek to encourage the adoption of State laws providing for reciprocal enforcement by State securities commissions of subpoenas issued by another State securities commission seeking to compel persons to attend, testify in, or produce documents or records in connection with an action or investigation by a State securities commission of an alleged violation of State securities laws.

(b) REPORT.—Not later than 24 months after the date of enactment of this Act, the Securities and Exchange Commission (hereafter in this section referred to as the “Commission”) shall submit a report to the Congress—

(1) identifying the States that have adopted laws described in subsection (a);

(2) describing the actions undertaken by the Commission and State securities commissions to promote the adoption of such laws; and

(3) identifying any further actions that the Commission recommends for such purposes.

#### TITLE II—REAUTHORIZATION OF THE SECURITIES AND EXCHANGE COMMISSION

##### SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Section 35 of the Securities Exchange Act of 1934 (15 U.S.C. 78kk) is amended to read as follows:

##### “SEC. 35. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—In addition to any other funds authorized to be appropriated to the Commission, there are authorized to be appropriated to carry out the functions, powers, and duties of the Commission, \$351,280,000 for fiscal year 1999.

“(b) MISCELLANEOUS EXPENSES.—Funds appropriated pursuant to this section are authorized to be expended—

“(1) not to exceed \$3,000 per fiscal year, for official reception and representation expenses;

“(2) not to exceed \$10,000 per fiscal year, for funding a permanent secretariat for the International Organization of Securities Commissions; and

“(3) not to exceed \$100,000 per fiscal year, for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives, and staff to exchange views concerning developments relating to securities matters, for development and implementation of cooperation agreements concerning securities matters, and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings, including—

“(A) such incidental expenses as meals taken in the course of such attendance;

“(B) any travel or transportation to or from such meetings; and

“(C) any other related lodging or subsistence.”.

##### SEC. 202. REQUIREMENTS FOR THE EDGAR SYSTEM.

Section 35A of the Securities Exchange Act of 1934 (15 U.S.C. 78ll) is amended—

(1) by striking subsections (a), (b), (c), and (e); and

(2) in subsection (d)—

(A) by striking “(d)”;

(B) in paragraph (2), by striking “; and” at the end and inserting a period; and

(C) by striking paragraph (3).

##### SEC. 203. COMMISSION PROFESSIONAL ECONOMISTS.

Section 4(b) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(b)) is amended—

(1) by redesignating paragraph (2) as paragraph (3); and

(2) by inserting after paragraph (1) the following:

“(2) ECONOMISTS.—

“(A) COMMISSION AUTHORITY.—Notwithstanding the provisions of chapter 51 of title 5, United States Code, the Commission is authorized—

“(i) to establish its own criteria for the selection of such professional economists as the Commission deems necessary to carry out the work of the Commission;

“(ii) to appoint directly such professional economists as the Commission deems qualified; and

“(iii) to fix and adjust the compensation of any professional economist appointed under this paragraph, without regard to the provisions of chapter 54 of title 5, United States Code, or subchapters II, III, or VIII of chapter 53, of title 5, United States Code.

“(B) LIMITATION ON COMPENSATION.—No base compensation fixed for an economist under this paragraph may exceed the pay for Level IV of the Executive Schedule, and no payments to an economist appointed under this paragraph shall exceed the limitation on certain payments in section 5307 of title 5, United States Code.

“(C) OTHER BENEFITS.—All professional economists appointed under this paragraph shall remain within the existing civil service system with respect to employee benefits.”.

#### TITLE III—CLERICAL AND TECHNICAL AMENDMENTS

##### SEC. 301. CLERICAL AND TECHNICAL AMENDMENTS.

(a) SECURITIES ACT OF 1933.—The Securities Act of 1933 (15 U.S.C. 77 et seq.) is amended as follows:

(1) Section 2(a)(15)(i) (15 U.S.C. 77b(a)(15)(i)) is amended—

(A) by striking “3(a)(2) of the Act” and inserting “3(a)(2)”;

(B) by striking “section 2(13) of the Act” and inserting “paragraph (13) of this subsection”.

(2) Section 11(f)(2)(A) (15 U.S.C. 77k(f)(2)(A)) is amended by striking “section 38” and inserting “section 21D(f)”.

(3) Section 13 (15 U.S.C. 77m) is amended—

(A) by striking “section 12(2)” each place it appears and inserting “section 12(a)(2)”;

(B) by striking “section 12(1)” each place it appears and inserting “section 12(a)(1)”.

(4) Section 18 (15 U.S.C. 77r) is amended—

(A) in subsection (b)(1)(A), by inserting “, or authorized for listing,” after “Exchange, or listed”;

(B) in subsection (c)(2)(B)(i), by striking “Capital Markets Efficiency Act of 1996” and inserting “National Securities Markets Improvement Act of 1996”;

(C) in subsection (c)(2)(C)(i), by striking “Market” and inserting “Markets”;

(D) in subsection (d)(1)(A)—

(i) by striking “section 2(10)” and inserting “section 2(a)(10)”;

(ii) by striking “subparagraphs (A) and (B)” and inserting “subparagraphs (a) and (b)”;

(E) in subsection (d)(2), by striking “Securities Amendments Act of 1996” and inserting “National Securities Markets Improvement Act of 1996”; and

(F) in subsection (d)(4), by striking “For purposes of this paragraph, the” and inserting “The”.

(5) Sections 27, 27A, and 28 (15 U.S.C. 77z-1, 77z-2, 77z-3) are transferred to appear after section 26, in that order.

(6) Paragraph (28) of schedule A of such Act (15 U.S.C. 77aa(28)) is amended by striking “identic” and inserting “identical”.

(b) SECURITIES EXCHANGE ACT OF 1934.—The Securities Exchange Act of 1934 (15 U.S.C. 78 et seq.) is amended as follows:

(1) Section 3(a)(10) (15 U.S.C. 78c(a)(10)) is amended by striking “deposit, for” and inserting “deposit for”.

(2) Section 3(a)(12)(A)(vi) (15 U.S.C. 78c(a)(12)(A)(vi)) is amended by moving the margin 2 em spaces to the left.

(3) Section 3(a)(22)(A) (15 U.S.C. 78c(a)(22)(A)) is amended—

(A) by striking “section 3(h)” and inserting “section 3”; and

(B) by striking “section 3(t)” and inserting “section 3”.

(4) Section 3(a)(39)(B)(i) (15 U.S.C. 78c(a)(39)(B)(i)) is amended by striking “an order to the Commission” and inserting “an order of the Commission”.

(5) The following sections are each amended by striking “Federal Reserve Board” and inserting “Board of Governors of the Federal Reserve System”; subsections (a) and (b) of section 7 (15 U.S.C. 78g(a), (b)); section 17(g) (15 U.S.C. 78q(g)); and section 26 (15 U.S.C. 78z).

(6) The heading of subsection (d) of section 7 (15 U.S.C. 78g(d)) is amended by striking “EXCEPTION” and inserting “EXCEPTIONS”.

(7) Section 14(g)(4) (15 U.S.C. 78n(g)(4)) is amended by striking “consolidation sale,” and inserting “consolidation, sale,”.

(8) Section 15 (15 U.S.C. 78o) is amended—

(A) in subsection (c)(8), by moving the margin 2 em spaces to the left;

(B) in subsection (h)(2), by striking “affecting” and inserting “effecting”;

(C) in subsection (h)(3)(A)(i)(II)(bb), by inserting “or” after the semicolon;

(D) in subsection (h)(3)(A)(ii)(I), by striking “maintains” and inserting “maintained”;

(E) in subsection (h)(3)(B)(ii), by striking “association” and inserting “associated”.

(9) Section 15B(c)(4) (15 U.S.C. 78o-4(c)(4)) is amended by striking “convicted by any offense” and inserting “convicted of any offense”.

(10) Section 15C(f)(5) (15 U.S.C. 78o-5(f)(5)) is amended by striking “any person or class or persons” and inserting “any person or class of persons”.

(11) Section 19(c)(5) (15 U.S.C. 78s(c)(5)) is amended by moving the margin 2 em spaces to the right.

(12) Section 20 (15 U.S.C. 78t) is amended by redesignating subsection (f) as subsection (e).

(13) Section 21D (15 U.S.C. 78u-4) is amended—

(A) in subsection (g)(2)(B)(i), by striking “paragraph (1)” and inserting “subparagraph (A)”.

(B) by redesignating subsection (g) as subsection (f); and

(14) Section 31(a) (15 U.S.C. 78ee(a)) is amended by striking “this subsection” and inserting “this section”.

(c) INVESTMENT COMPANY ACT OF 1940.—The Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.) is amended as follows:

(1) Section 2(a)(8) (15 U.S.C. 80a-2(a)(8)) is amended by striking “Unitde” and inserting “United”.

(2) Section 3(b) (15 U.S.C. 80a-3(b)) is amended by striking “paragraph (3) of subsection (a)” and inserting “paragraph (1)(C) of subsection (a)”.

(3) Section 12(d)(1)(G)(i)(III)(bb) (15 U.S.C. 80a-12(d)(1)(G)(i)(III)(bb)) is amended by striking “the acquired fund” and inserting “the acquired company”.

(4) Section 18(e)(2) (15 U.S.C. 80a-18(e)(2)) is amended by striking “subsection (e)(2)” and inserting “paragraph (1) of this subsection”.



(5) Section 30 (15 U.S.C. 80a-29) is amended—

(A) by inserting “and” after the semicolon at the end of subsection (b)(1);

(B) in subsection (e), by striking “semi-annually” and inserting “semiannually”; and

(C) by redesignating subsections (g) and (h), as added by section 508(g) of the National Securities Markets Improvement Act of 1996, as subsections (i) and (j), respectively.

(6) Section 31(f) (15 U.S.C. 80a-30(f)) is amended by striking “subsection (c)” and inserting “subsection (e)”.

(d) INVESTMENT ADVISERS ACT OF 1940.—The Investment Advisers Act of 1940 (15 U.S.C. 80b et seq.) is amended as follows:

(1) Section 203(e)(8)(B) (15 U.S.C. 80b-3(e)(8)(B)) is amended by inserting “or” after the semicolon.

(2) Section 222(b)(2) (15 U.S.C. 80b-18a(b)(2)) is amended by striking “principle” and inserting “principal”.

(e) TRUST INDENTURE ACT OF 1939.—The Trust Indenture Act of 1939 (15 U.S.C. 77aaa et seq.) is amended as follows:

(1) Section 303 (15 U.S.C. 77ccc) is amended by striking “section 2” each place it appears in paragraphs (2) and (3) and inserting “section 2(a)”.

(2) Section 304(a)(4)(A) (15 U.S.C. 77ddd(a)(4)(A)) is amended by striking “(14) of subsection” and inserting “(13) of section”.

(3) Section 313(a) (15 U.S.C. 77mmm(a)) is amended—

(A) by inserting “any change to” after the paragraph designation at the beginning of paragraph (4); and

(B) by striking “any change to” in paragraph (6).

(4) Section 319(b) (15 U.S.C. 77sss(b)) is amended by striking “the Federal Register Act” and inserting “chapter 15 of title 44, United States Code.”.

#### SEC. 302. EXEMPTION OF SECURITIES ISSUED IN CONNECTION WITH CERTAIN STATE HEARINGS.

Section 18(b)(4)(C) of the Securities Act of 1933 (15 U.S.C. 77r(b)(4)(C)) is amended by striking “paragraph (4) or (11)” and inserting “paragraph (4), (10), or (11)”.

And the House agree to the same.

TOM BLILEY,  
M.G. OXLEY,  
BILLY TAUZIN,  
CHRIS COX,  
RICK WHITE,  
ANNA G. ESHOO,

*Managers on the Part of the House.*

ALFONSE D'AMATO,  
PHIL GRAMM,  
CHRIS DODD,

*Managers on the Part of the Senate.*

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, recognized Mr. BLILEY and Mr. DINGELL, each for 20 minutes.

Pending consideration of said conference report.

On motion of Mr. BLILEY, by unanimous consent,

*Ordered*, That the complete copy of the conference report on S. 1260 being considered today, including the entire corrected Statement of Managers as agreed to by the conferees, be inserted in the Record.

When said conference report was considered.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said conference report?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced

that two-thirds of the Members present had voted in the affirmative.

Mr. DINGELL, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶110.20 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 3267. An Act to direct the Secretary of the Interior, acting through the Bureau of Reclamation, to conduct a feasibility study and construct a project to reclaim the Salton Sea.

#### ¶110.21 H.R. 1693—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1693) to provide for improved management and increased accountability for certain National Park Service programs, and for other purposes; as amended.

The question being put, *viva voce*, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶110.22 H. RES. 494 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 494) expressing the sense of the House of Representatives that the United States has enjoyed the loyalty of the United States citizens of Guam, and that the United States recognizes the centennial anniversary of the Spanish-American War as an opportune time for Congress to reaffirm its commitment to increase self-government consistent with self-determination for the people of Guam.

The question being put, *viva voce*, Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced

that two-thirds of those present had voted in the affirmative.

Mr. COMBEST objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 410  
Nays ..... 0

#### ¶110.23 [Roll No. 524] YEAS—410

Abercrombie	Danner	Hinchey
Aderholt	Davis (FL)	Hinojosa
Allen	Davis (IL)	Hobson
Andrews	Davis (VA)	Hoekstra
Archer	Deal	Holden
Armey	DeFazio	Hooley
Bachus	DeGette	Horn
Baesler	Delahunt	Hostettler
Baker	DeLauro	Houghton
Baldacci	DeLay	Hoyer
Ballenger	Diaz-Balart	Hulshof
Barcia	Dickey	Hunter
Barr	Dicks	Hutchinson
Barrett (NE)	Dingell	Hyde
Barrett (WI)	Dixon	Istook
Bartlett	Doggett	Jackson (IL)
Barton	Dooley	Jackson-Lee
Bass	Doolittle	(TX)
Bateman	Doyle	Jefferson
Becerra	Dreier	Jenkins
Bentsen	Duncan	John
Bereuter	Dunn	Johnson (CT)
Berry	Edwards	Johnson (WI)
Bilbray	Ehlers	Johnson, E. B.
Bilirakis	Ehrlich	Johnson, Sam
Bishop	Emerson	Jones
Blagojevich	Engel	Kanjorski
Bliley	English	Kaptur
Blumenauer	Ensign	Kasich
Blunt	Eshoo	Kelly
Boehlert	Etheridge	Kennedy (MA)
Boehner	Evans	Kennedy (RI)
Bonilla	Everett	Kildee
Bonior	Ewing	Kim
Bono	Farr	Kind (WI)
Borski	Fattah	King (NY)
Boswell	Fawell	Kington
Boyd	Fazio	Klecza
Brady (PA)	Filner	Klink
Brady (TX)	Foley	Klug
Brown (CA)	Forbes	Knollenberg
Brown (FL)	Ford	Kolbe
Brown (OH)	Fossella	Kucinich
Bryant	Fowler	LaFalce
Bunning	Fox	LaHood
Burr	Frank (MA)	Lantos
Burton	Franks (NJ)	Latham
Buyer	Frelinghuysen	LaTourette
Callahan	Frost	Lazio
Calvert	Furse	Leach
Camp	Gallely	Lee
Campbell	Ganske	Levin
Canady	Gejdenson	Lewis (CA)
Cannon	Gekas	Lewis (GA)
Capps	Gephardt	Lewis (KY)
Cardin	Gibbons	Linder
Carson	Gilchrest	Lipinski
Castle	Gillmor	Livingston
Chabot	Gilman	LoBiondo
Chambliss	Gonzalez	Lofgren
Chenoweth	Goode	Lowe
Christensen	Goodlatte	Lucas
Clay	Goodling	Luther
Clayton	Gordon	Maloney (CT)
Clement	Goss	Maloney (NY)
Clyburn	Granger	Manton
Coble	Green	Manzullo
Coburn	Greenwood	Markey
Collins	Gutierrez	Martinez
Combest	Gutknecht	Mascara
Condit	Hall (TX)	Matsui
Conyers	Hamilton	McCarthy (MO)
Cook	Hansen	McCarthy (NY)
Costello	Hastert	McDermott
Cox	Hastings (FL)	McGovern
Coyne	Hastings (WA)	McHale
Cramer	Hayworth	McHugh
Crane	Hefley	McInnis
Crapo	Herger	McIntosh
Cubin	Hill	McIntyre
Cummings	Hilleary	McKeon
Cunningham	Hilliard	McKinney

McNulty	Quinn	Snyder
Meehan	Radanovich	Solomon
Meek (FL)	Rahall	Spence
Meeks (NY)	Ramstad	Stabenow
Menendez	Rangel	Stark
Metcalf	Redmond	Stearns
Mica	Regula	Stenholm
Millender-	Reyes	Stokes
McDonald	Riggs	Strickland
Miller (CA)	Riley	Stump
Miller (FL)	Rivers	Stupak
Minge	Rodriguez	Sununu
Mink	Roemer	Talent
Moakley	Rogan	Tanner
Mollohan	Rogers	Tauscher
Moran (KS)	Rohrabacher	Tauzin
Moran (VA)	Ros-Lehtinen	Taylor (MS)
Morella	Rothman	Taylor (NC)
Murtha	Roukema	Thomas
Myrick	Roybal-Allard	Thompson
Nadler	Royce	Thornberry
Neal	Rush	Thune
Nethercutt	Ryun	Thurman
Neumann	Sabo	Tiahrt
Ney	Salmon	Tierney
Northup	Sanchez	Torres
Norwood	Sanders	Towns
Nussle	Sandlin	Trafigant
Oberstar	Sanford	Turner
Obey	Sawyer	Upton
Oliver	Saxton	Velazquez
Ortiz	Schaefer, Dan	Vento
Owens	Schaffer, Bob	Walsh
Oxley	Schumer	Wamp
Packard	Scott	Waters
Pallone	Sensenbrenner	Watkins
Pappas	Serrano	Watt (NC)
Parker	Sessions	Watts (OK)
Pascarell	Shadegg	Waxman
Pastor	Shaw	Weldon (FL)
Paul	Shays	Weldon (PA)
Paxon	Sherman	Weller
Payne	Shimkus	Weygand
Pease	Shuster	White
Pelosi	Sisisky	Whitfield
Peterson (MN)	Skaggs	Wicker
Peterson (PA)	Skeen	Wilson
Petri	Skelton	Wise
Pickering	Slaughter	Wolf
Pickett	Smith (MI)	Woolsey
Pitts	Smith (NJ)	Wynn
Pombo	Smith (OR)	Yates
Pomeroy	Smith (TX)	Young (AK)
Porter	Smith, Adam	Young (FL)
Portman	Smith, Linda	
Price (NC)	Snowbarger	

## NOT VOTING—24

Ackerman	Hefner	McDade
Berman	Inglis	Poshard
Boucher	Kennelly	Pryce (OH)
Cooksey	Kilpatrick	Scarborough
Deutsch	Lampson	Souder
Graham	Largent	Spratt
Hall (OH)	McCollum	Visclosky
Harman	McCrery	Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

## ¶110.24 S. 1364—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (S. 1364) to eliminate unnecessary and wasteful Federal reports; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARRETT of Nebraska, announced that two-thirds of those present had voted in the affirmative.

Mr. GIBBONS demanded a recorded vote on the motion to suspend the rules and pass said bill, as amended,

which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 390  
affirmative ..... Nays ..... 19

## ¶110.25 [Roll No. 525]

## AYES—390

Abercrombie	DeLay	John
Aderholt	Diaz-Balart	Johnson (CT)
Allen	Dickey	Johnson (WI)
Andrews	Dicks	Johnson, Sam
Archer	Dingell	Jones
Arney	Doggett	Kanjorski
Bachus	Dooley	Kaptur
Baessler	Doolittle	Kasich
Baker	Doyle	Kelly
Baldacci	Dreier	Kennedy (MA)
Ballenger	Duncan	Kennedy (RI)
Barcia	Dunn	Kildee
Barr	Edwards	Kim
Barrett (NE)	Ehlers	Kind (WI)
Barrett (WI)	Ehrlich	King (NY)
Bartlett	Emerson	Kingston
Barton	Engel	Klecza
Bass	English	Klink
Bateman	Ensign	Klug
Becerra	Eshoo	Knollenberg
Bentsen	Etheridge	Kolbe
Bereuter	Evans	Kucinich
Berry	Everett	LaFalce
Bilbray	Ewing	LaHood
Billakis	Farr	Lantos
Bishop	Fattah	Latham
Blagojevich	Fawell	LaTourette
Bliley	Fazio	Lazio
Blumenauer	Filner	Leach
Blunt	Foley	Levin
Boehlert	Forbes	Lewis (CA)
Boehner	Ford	Lewis (GA)
Bonilla	Fossella	Lewis (KY)
Bonior	Fowler	Linder
Bono	Fox	Lipinski
Borski	Frank (MA)	Livingston
Boswell	Franks (NJ)	LoBiondo
Boyd	Frelinghuysen	Lofgren
Brady (PA)	Frost	Lowey
Brady (TX)	Gallegly	Lucas
Brown (CA)	Ganske	Luther
Brown (FL)	Gejdenson	Maloney (CT)
Brown (OH)	Gekas	Maloney (NY)
Bryant	Gephardt	Manton
Bunning	Gibbons	Manzullo
Burr	Gilchrest	Markey
Buyer	Gillmor	Martinez
Callahan	Gilman	Mascara
Calvert	Gonzalez	Matsui
Camp	Goode	McCarthy (MO)
Campbell	Goodlatte	McCarthy (NY)
Canady	Goodling	McDermott
Cannon	Gordon	McGovern
Capps	Goss	McHale
Cardin	Granger	McHugh
Carson	Green	McInnis
Castle	Greenwood	McIntosh
Chabot	Gutierrez	McIntyre
Chambliss	Gutknecht	McKeon
Chenoweth	Hall (TX)	McNulty
Christensen	Hamilton	Meehan
Clayton	Hansen	Meek (FL)
Clement	Hastert	Menendez
Coble	Hastings (WA)	Metcalf
Coburn	Hayworth	Mica
Collins	Hefley	Miller (CA)
Combest	Herger	Miller (FL)
Condit	Hill	Minge
Cook	Hilleary	Moakley
Costello	Hinchey	Mollohan
Cox	Hinojosa	Moran (KS)
Coyne	Hobson	Moran (VA)
Cramer	Hoekstra	Morella
Crane	Holden	Murtha
Crapo	Hooley	Myrick
Cubin	Horn	Nadler
Cummings	Hostettler	Neal
Cunningham	Houghton	Nethercutt
Danner	Hoyer	Neumann
Davis (FL)	Hulshof	Ney
Davis (IL)	Hunter	Northup
Davis (VA)	Hutchinson	Norwood
Deal	Hyde	Nussle
DeFazio	Istook	Oberstar
DeGette	Jackson (IL)	Obey
DeLauro	Jefferson	Oliver
	Jenkins	Ortiz

Owens	Royce	Stokes
Oxley	Rush	Strickland
Packard	Ryun	Stump
Pallone	Sabo	Stupak
Pappas	Salmon	Sununu
Parker	Sanchez	Talent
Pascarell	Sanders	Tanner
Pastor	Sandlin	Tauscher
Paul	Sanford	Tauzin
Paxon	Sawyer	Taylor (MS)
Pease	Saxton	Taylor (NC)
Pelosi	Schaefer, Dan	Thomas
Peterson (MN)	Schaffer, Bob	Thornberry
Peterson (PA)	Schumer	Thune
Petri	Scott	Thurman
Pickering	Sensenbrenner	Tiahrt
Pickett	Serrano	Tierney
Pitts	Sessions	Torres
Pombo	Shadegg	Trafigant
Pomeroy	Shaw	Turner
Porter	Shays	Upton
Portman	Sherman	Velazquez
Price (NC)	Shimkus	Vento
Quinn	Shuster	Walsh
Radanovich	Sisisky	Wamp
Rahall	Skaggs	Watkins
Ramstad	Skeen	Watt (NC)
Rangel	Skelton	Watts (OK)
Redmond	Slaughter	Waxman
Regula	Smith (MI)	Weldon (FL)
Reyes	Smith (NJ)	Weldon (PA)
Riggs	Smith (OR)	Weller
Riley	Smith (TX)	Weygand
Rivers	Smith, Adam	White
Rodriguez	Smith, Linda	Whitfield
Roemer	Snowbarger	Wicker
Rogan	Snyder	Wilson
Rogers	Solomon	Wise
Rohrabacher	Spence	Wolf
Ros-Lehtinen	Stabenow	Woolsey
Rothman	Stark	Yates
Roukema	Stearns	Young (AK)
Roybal-Allard	Stenholm	Young (FL)

## NOES—19

Clay	Jackson-Lee	Mink
Clyburn	(TX)	Payne
Conyers	Johnson, E. B.	Thompson
Dixon	Lee	Towns
Furse	McKinney	Waters
Hastings (FL)	Meeks (NY)	Wynn
Hilliard	Millender-	
	McDonald	

## NOT VOTING—25

Ackerman	Hefner	Poshard
Berman	Inglis	Pryce (OH)
Boucher	Kennelly	Scarborough
Burton	Kilpatrick	Souder
Cooksey	Lampson	Spratt
Deutsch	Largent	Visclosky
Graham	McCollum	Wexler
Hall (OH)	McCrery	
Harman	McDade	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

## ¶110.26 H.R. 4756—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4756) to ensure that the United States is prepared to meet the Year 2000 computer problem; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of those present had voted in the affirmative.

Mr. FOSSELLA demanded a recorded vote on the motion to suspend the rules and pass said bill, as amended, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Yeas ..... 407  
affirmative ..... { Nays ..... 3

¶110.27

[Roll No. 526]

AYES—407

Abercrombie	Davis (VA)	Holden
Aderholt	Deal	Hooley
Allen	DeFazio	Horn
Andrews	DeGette	Hostettler
Archer	Delahunt	Houghton
Armey	DeLauro	Hoyer
Bachus	DeLay	Hulshof
Baesler	Diaz-Balart	Hunter
Baker	Dickey	Hutchinson
Baldacci	Dicks	Hyde
Ballenger	Dingell	Istook
Barcia	Dixon	Jackson (IL)
Barr	Doggett	Jackson-Lee
Barrett (NE)	Dooley	(TX)
Barrett (WI)	Doolittle	Jefferson
Bartlett	Doyle	Jenkins
Barton	Dreier	John
Bass	Duncan	Johnson (CT)
Bateman	Dunn	Johnson (WI)
Becerra	Edwards	Johnson, E. B.
Bentsen	Ehlers	Johnson, Sam
Bereuter	Ehrlich	Jones
Berry	Emerson	Kanjorski
Bilbray	Engel	Kaptur
Bilirakis	English	Kasich
Bishop	Ensign	Kelly
Blagojevich	Eshoo	Kennedy (MA)
Bliley	Etheridge	Kennedy (RI)
Blumenauer	Evans	Kildee
Blunt	Everett	Kim
Boehrlert	Ewing	Kind (WI)
Boehner	Farr	King (NY)
Bonilla	Fattah	Kingston
Bonior	Fawell	Klecza
Bono	Fazio	Klink
Borski	Filner	Klug
Boswell	Foley	Knollenberg
Boyd	Forbes	Kolbe
Brady (PA)	Ford	Kucinich
Brady (TX)	Fossella	LaFalce
Brown (CA)	Fowler	LaHood
Brown (FL)	Fox	Lantos
Brown (OH)	Frank (MA)	Latham
Bryant	Franks (NJ)	LaTourette
Bunning	Frelinghuysen	Lazio
Burr	Frost	Leach
Burton	Furse	Lee
Buyer	Galleghy	Levin
Callahan	Ganske	Lewis (CA)
Calvert	Gejdenson	Lewis (GA)
Camp	Gekas	Lewis (KY)
Campbell	Gephardt	Linder
Canady	Gibbons	Lipinski
Capps	Gilchrest	Livingston
Cardin	Gillmor	LoBiondo
Carson	Gilman	Lofgren
Castle	Gonzalez	Lowey
Chabot	Goode	Lucas
Chambliss	Goodlatte	Luther
Christensen	Goodling	Maloney (CT)
Clay	Gordon	Maloney (NY)
Clayton	Goss	Manton
Clement	Granger	Manzullo
Clyburn	Green	Markey
Coble	Greenwood	Martinez
Coburn	Gutierrez	Mascara
Collins	Gutknecht	Matsui
Combest	Hall (TX)	McCarthy (MO)
Condit	Hamilton	McCarthy (NY)
Conyers	Hansen	McDermott
Cook	Hastert	McGovern
Costello	Hastings (FL)	McHale
Cox	Hastings (WA)	McHugh
Coyne	Hayworth	McInnis
Cramer	Hefley	McIntosh
Crane	Herger	McIntyre
Crapo	Hill	McKeon
Cubin	Hilleary	McKinney
Cummings	Hilliard	McNulty
Cunningham	Hinchey	Meehan
Danner	Hinojosa	Meek (FL)
Davis (FL)	Hobson	Meeks (NY)
Davis (IL)	Hoekstra	Menendez

Metcalfe	Rangel	Spence
Mica	Redmond	Stabenow
Millender-McDonald	Regula	Stark
Miller (CA)	Reyes	Stearns
Miller (FL)	Riggs	Stenholm
Minge	Riley	Stokes
Mink	Rivers	Strickland
Moakley	Rodriguez	Stump
Mollohan	Roemer	Stupak
Moran (KS)	Rogan	Sununu
Moran (VA)	Rogers	Talent
Morella	Rohrabacher	Tanner
Murtha	Ros-Lehtinen	Tauscher
Myrick	Rothman	Tauzin
Nadler	Roukema	Taylor (MS)
Neal	Roybal-Allard	Taylor (NC)
Nethercutt	Royce	Thomas
Neumann	Rush	Thompson
Ney	Ryun	Thornberry
Northup	Sabo	Thune
Norwood	Salmon	Thurman
Nussle	Sanchez	Tiahrt
Oberstar	Sanders	Tierney
Obey	Sandlin	Torres
Oliver	Sanford	Torres
Ortiz	Sawyer	Towns
Owens	Saxton	Trafigant
Oxley	Schaefer, Dan	Turner
Packard	Schaffer, Bob	Upton
Pallone	Schumer	Velazquez
Pappas	Scott	Vento
Parker	Sensenbrenner	Walsh
Pascarell	Serrano	Wamp
Pastor	Sessions	Waters
Paxon	Shadegg	Watkins
Payne	Shaw	Watt (NC)
Pease	Shays	Watts (OK)
Pelosi	Sherman	Waxman
Peterson (MN)	Shimkus	Weldon (FL)
Peterson (PA)	Shuster	Weldon (PA)
Petri	Sisisky	Weller
Pickering	Skaggs	Weygand
Pickett	Skeen	White
Pombo	Skelton	Whitfield
Pomeroy	Slaughter	Wicker
Porter	Smith (MI)	Wilson
Portman	Smith (NJ)	Wise
Price (NC)	Smith (OR)	Wolf
Quinn	Smith (TX)	Woolsey
Radanovich	Smith, Adam	Wynn
Rahall	Smith, Linda	Yates
Ramstad	Snowbarger	Young (AK)
	Snyder	Young (FL)
	Solomon	

NOES—3

Cannon Chenoweth Paul

NOT VOTING—24

Ackerman	Hefner	McDade
Berman	Inglis	Poshard
Boucher	Kennelly	Pryce (OH)
Cooksey	Kilpatrick	Scarborough
Deutsch	Lampson	Souder
Graham	Largent	Spratt
Hall (OH)	McCollum	Visclosky
Harman	McCrery	Wexler

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk request the concurrence of the Senate in said bill.

¶110.28 WOMEN'S HEALTH RESEARCH AND PREVENTION

Mr. BILIRAKIS moved to suspend the rules and pass the bill of the Senate (S. 1722) to amend the Public Health Service Act to revise and extend certain programs with respect to women's health research and prevention activities at the National Institutes of Health and the Centers for Disease Control and Prevention.

The SPEAKER pro tempore, Mr. BOEHLERT, recognized Mr. BILI-

RAKIS and Mr. BROWN of Ohio, each for 20 minutes.

After debate,  
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BILIRAKIS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

¶110.29 FAIR LABOR STANDARDS  
RELATING TO AUTOMOBILES AND TRUCKS

Mr. FAWELL moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2327) to provide for a change in the exemption from the child labor provisions of the Fair Labor Standards Act of 1938 for minors between 16 and 18 years of age who engage in the operation of automobiles and trucks:

Page 4, strike out all after line 4, down to and including line 10, and insert:

(b) EFFECTIVE DATE.—This Act shall become effective on the date of enactment of this Act.

(2) EXCEPTION.—The amendment made by subsection (a) defining the term "occasional and incidental" shall also apply to any case, action, citation or appeal pending on the date of enactment of this Act unless such case, action, citation or appeal involves property damage or personal injury.

The SPEAKER pro tempore, Mr. BOEHLERT, recognized Mr. FAWELL and Mr. MARTINEZ, each for 20 minutes.

After debate,  
The question being put, viva voce,  
Will the House suspend the rules and agree to said amendment?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment was agreed to was passed was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk notify the Senate thereof.

¶110.30 RECOGNITION OF THE  
IMPORTANCE OF AFRICAN-AMERICAN MUSIC

Mr. NORWOOD moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 27):

Whereas artists, songwriters, producers, engineers, educators, executives, and other professionals in the music industry provide inspiration and leadership through their creation of music, dissemination of educational information, and financial contributions to charitable and community-based organizations;

Whereas African-American music is indigenous to the United States and originates from African genres of music;

Whereas African-American genres of music such as gospel, blues, jazz, rhythm and blues, rap, and hip-hop have their roots in the African-American experience;

Whereas African-American music has a pervasive influence on dance, fashion, language, art, literature, cinema, media, advertisements, and other aspects of culture;

Whereas the prominence of African-American music in the 20th century has reawakened interest in the legacy and heritage of the art form of African-American music;

Whereas African-American music embodies the strong presence of, and significant contributions made by, African-Americans in the music industry and society as a whole;

Whereas the multibillion dollar African-American music industry contributes greatly to the domestic and worldwide economy; and

Whereas African-American music has a positive impact on and broad appeal to diverse groups, both nationally and internationally: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That the Congress—*

(1) recognizes the importance of the contributions of African-American music to global culture and the positive impact of African-American music on global commerce; and

(2) calls on the people of the United States to take the opportunity to study, reflect on, and celebrate the majesty, vitality, and importance of African-American music.

The SPEAKER pro tempore, Mr. BOEHLERT, recognized Mr. NORWOOD and Mr. MARTINEZ, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said concurrent resolution.

#### ¶110.31 H.R. 4805—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4805) to require reports on travel of Executive branch officers and employees to international conferences, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk request the concurrence of the Senate in said bill.

#### ¶110.32 H. RES. 562—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H. Res. 562) concerning properties wrongfully expropriated by formerly totalitarian governments.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

#### ¶110.33 H. RES. 518—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 518) calling for free and transparent elections in Gabon; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

#### ¶110.34 H.R. 1274—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the Senate amendment to the bill (H.R. 1274) to authorize appropriations for the National Institute of Standards and Technology for fiscal years 1998 and 1999, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and agree to the Senate amendment?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said Senate amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said Senate amendment was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

#### ¶110.35 S. 1754—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill (S. 1754) to amend the Public Health Service Act to consolidate and reauthorize health professions and minority and disadvantaged health education programs, and for other purposes; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of those present had voted in the affirmative.

Mr. CAMPBELL objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 4, rule XV, and the call was taken by electronic device.

When there appeared { Yeas ..... 303  
Nays ..... 102

#### ¶110.36 [Roll No. 527] YEAS—303

Abercrombie	Cramer	Ganske
Allen	Crapo	Gejdenson
Andrews	Cubin	Gekas
Armey	Cummings	Gephardt
Bachus	Cunningham	Gilchrest
Baesler	Danner	Gilman
Baldacci	Davis (FL)	Gonzalez
Barcia	Davis (VA)	Goodlatte
Barrett (WI)	Deal	Goodling
Bateman	DeFazio	Gordon
Becerra	DeGette	Granger
Bentsen	Delahunt	Green
Berry	DeLauro	Greenwood
Bilbray	Diaz-Balart	Gutierrez
Bilirakis	Dickey	Gutknecht
Bishop	Dicks	Hall (TX)
Blagojevich	Dingell	Hamilton
Bliley	Dixon	Hastert
Blumenauer	Doggett	Hastings (FL)
Blunt	Dooley	Hilleary
Boehlert	Doyle	Hilliard
Boehner	Duncan	Hinchey
Bonilla	Dunn	Hinojosa
Bonior	Edwards	Hobson
Borski	Ehlers	Holden
Boswell	Emerson	Hooley
Boyd	Engel	Horn
Brown (CA)	English	Houghton
Brown (FL)	Ensign	Hoyer
Brown (OH)	Eshoo	Hulshof
Bryant	Etheridge	Hutchinson
Bunning	Evans	Jackson (IL)
Camp	Ewing	Jackson-Lee
Capps	Farr	(TX)
Cardin	Fattah	Jefferson
Carson	Fawell	Jenkins
Castle	Fazio	John
Chenoweth	Filner	Johnson (CT)
Clay	Forbes	Johnson (WI)
Clayton	Ford	Johnson, E. B.
Clement	Fox	Kanjorski
Clyburn	Frank (MA)	Kaptur
Condit	Franks (NJ)	Kelly
Conyers	Frelinghuysen	Kennedy (MA)
Cook	Frost	Kennedy (RI)
Costello	Furse	Kildee
Coyne	Galleghy	Kim

Kind (WI)	Murtha	Sherman
Kingston	Nadler	Shimkus
Kleccka	Neal	Sisisky
Klink	Ney	Skaggs
Klug	Northup	Skeen
Knollenberg	Nussle	Skelton
Kucinich	Oberstar	Slaughter
LaFalce	Obey	Smith (MI)
Lantos	Olver	Smith (NJ)
Latham	Ortiz	Smith, Adam
LaTourette	Owens	Snyder
Lazio	Packard	Stabenow
Leach	Pallone	Stark
Lee	Pappas	Stenholm
Levin	Pascrell	Stokes
Lewis (CA)	Pastor	Strickland
Lewis (GA)	Paxon	Stupak
Livingston	Payne	Talent
LoBiondo	Pease	Tanner
Lofgren	Pelosi	Tauscher
Lowey	Peterson (MN)	Tauzin
Lucas	Peterson (PA)	Thomas
Luther	Pickett	Thompson
Maloney (CT)	Pomeroy	Thornberry
Maloney (NY)	Porter	Thune
Manton	Portman	Thurman
Markey	Price (NC)	Tierney
Martinez	Quinn	Torres
Mascara	Rahall	Towns
Matsui	Ramstad	Trafficant
McCarthy (MO)	Rangel	Turner
McCarthy (NY)	Redmond	Upton
McDermott	Regula	Velazquez
McGovern	Reyes	Vento
McHale	Rivers	Walsh
McHugh	Rodriguez	Wamp
McIntyre	Roemer	Waters
McKinney	Rogers	Watkins
McNulty	Ros-Lehtinen	Watt (NC)
Meehan	Rothman	Watts (OK)
Meek (FL)	Roukema	Waxman
Meeks (NY)	Roybal-Allard	Weldon (FL)
Menendez	Rush	Weldon (PA)
Metcalf	Sabo	Weller
Mica	Sanchez	Weygand
Millender-	Sanders	White
McDonald	Sandlin	Wilson
Miller (CA)	Sawyer	Wise
Minge	Saxton	Wolf
Mink	Schaefer, Dan	Woolsey
Moakley	Schaffer, Bob	Wynn
Mollohan	Schumer	Yates
Moran (KS)	Scott	Young (AK)
Moran (VA)	Serrano	Young (FL)
Morella	Shays	

## NAYS—102

Aderholt	Foley	Oxley
Archer	Fossella	Parker
Baker	Fowler	Paul
Ballenger	Gibbons	Petri
Barr	Gillmor	Pickering
Barrett (NE)	Goss	Pitts
Bartlett	Hansen	Pombo
Barton	Hastings (WA)	Radanovich
Bass	Hayworth	Riggs
Bereuter	Hefley	Riley
Bono	Herger	Rogan
Brady (TX)	Hill	Rohrabacher
Burr	Hoekstra	Royce
Burton	Hostettler	Ryun
Buyer	Hunter	Salmon
Callahan	Hyde	Sanford
Calvert	Istook	Sensenbrenner
Campbell	Johnson, Sam	Sessions
Canady	Jones	Shadegg
Cannon	Kasich	Shaw
Chabot	King (NY)	Shuster
Chambliss	Kolbe	Smith (TX)
Christensen	LaHood	Smith, Linda
Coble	Lewis (KY)	Snowbarger
Coburn	Linder	Solomon
Collins	Manzullo	Spence
Combust	McInnis	Stearns
Cox	McIntosh	Stump
Crane	McKeon	Sununu
DeLay	Miller (FL)	Taylor (MS)
Doolittle	Myrick	Taylor (NC)
Dreier	Nethercutt	Tiahrt
Ehrlich	Neumann	Whitfield
Everett	Norwood	Wicker

## NOT VOTING—29

Ackerman	Goode	Kilpatrick
Berman	Graham	Lampson
Boucher	Hall (OH)	Largent
Brady (PA)	Harman	Lipinski
Cooksey	Hefner	McCollum
Davis (IL)	Inglis	McCrery
Deutsch	Kennelly	McDade

Poshard	Smith (OR)	Visclosky
Pryce (OH)	Souder	Wexler
Scarborough	Spratt	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

## ¶110.37 S. 1260—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and agree to the conference report on (S. 1260) to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to limit the conduct of securities class actions under State law, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and agree to said conference report?

The SPEAKER pro tempore, Mr. BOEHLERT, announced that two-thirds of those present had voted in the affirmative.

Mr. DINGELL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

It was decided in the affirmative .....	Yeas .....	319
	Nays .....	82
	Answered present	1

## ¶110.38 [Roll No. 528] YEAS—319

Aderholt	Campbell	English
Allen	Canady	Ensign
Andrews	Cannon	Eshoo
Archer	Capps	Etheridge
Armey	Cardin	Everett
Bachus	Castle	Ewing
Baessler	Chabot	Farr
Baker	Chambliss	Fawell
Ballenger	Chenoweth	Fazio
Barcia	Christensen	Foley
Barr	Clement	Forbes
Barrett (NE)	Coble	Ford
Barrett (WI)	Coburn	Fossella
Bartlett	Collins	Fowler
Barton	Combust	Fox
Bass	Condit	Frank (MA)
Bateman	Cook	Franks (NJ)
Bentsen	Cox	Frelinghuysen
Bereuter	Cramer	Furse
Berry	Crane	Gallegly
Bilbray	Crapo	Ganske
Bilirakis	Cubin	Gejdenson
Bishop	Cunningham	Gekas
Bliley	Danner	Gibbons
Blumenauer	Davis (FL)	Gilchrest
Blunt	Davis (VA)	Gillmor
Boehlert	Deal	Gilman
Boehner	DeLauro	Gonzalez
Bonilla	DeLay	Goodlatte
Bono	Diaz-Balart	Goodling
Boswell	Dickey	Gordon
Boyd	Dicks	Goss
Brady (TX)	Dooley	Granger
Brown (OH)	Doolittle	Green
Bryant	Doyle	Greenwood
Bunning	Dreier	Gutknecht
Burr	Duncan	Hall (TX)
Burton	Dunn	Hamilton
Buyer	Edwards	Hansen
Callahan	Ehlers	Hastert
Calvert	Ehrlich	Hastings (WA)
Camp	Emerson	Hayworth

Hefley	McIntosh	Sandlin
Herger	McIntyre	Sanford
Hill	McKeon	Sawyer
Hilleary	McNulty	Saxton
Hinojosa	Meehan	Schaefer, Dan
Hobson	Metcalf	Schaffer, Bob
Hoekstra	Mica	Sensenbrenner
Holden	Miller (CA)	Sessions
Hooley	Miller (FL)	Shadegg
Horn	Minge	Shaw
Hostettler	Moakley	Shays
Houghton	Moran (KS)	Sherman
Hoyer	Moran (VA)	Shimkus
Hulshof	Morella	Shuster
Hunter	Myrick	Sisisky
Hutchinson	Neal	Skeen
Hyde	Nethercutt	Skelton
Istook	Neumann	Slaughter
Jackson-Lee	Ney	Smith (MI)
(TX)	Northup	Smith (NJ)
Jefferson	Norwood	Smith (TX)
Jenkins	Nussle	Smith, Adam
John	Ortiz	Smith, Linda
Johnson (CT)	Oxley	Snowbarger
Johnson (WI)	Packard	Snyder
Jones	Pallone	Solomon
Kasich	Pappas	Spence
Kelly	Parker	Stabenow
Kennedy (MA)	Pascrell	Stearns
Kennedy (RI)	Paxon	Stenholm
Kim	Pease	Strickland
Kind (WI)	Pelosi	Stump
King (NY)	Peterson (MN)	Sununu
Kingston	Peterson (PA)	Talent
Kleccka	Petri	Tanner
Klug	Pickering	Tauscher
Knollenberg	Pickett	Tauzin
Kolbe	Pitts	Taylor (NC)
LaFalce	Pombo	Thomas
LaHood	Pomeroy	Thornberry
Lantos	Porter	Thune
Latham	Portman	Tiahrt
LaTourette	Price (NC)	Towns
Lazio	Quinn	Trafficant
Leach	Radanovich	Turner
Lewis (CA)	Ramstad	Upton
Lewis (KY)	Redmond	Velazquez
Linder	Regula	Vento
LoBiondo	Reyes	Walsh
Lofgren	Riggs	Wamp
Lucas	Riley	Watkins
Luther	Rodriguez	Watts (OK)
Maloney (CT)	Roemer	Weldon (FL)
Maloney (NY)	Rogan	Weldon (PA)
Manton	Rogers	Weller
Manzullo	Rohrabacher	Weygand
Martinez	Ros-Lehtinen	White
Mascara	Rothman	Whitfield
Matsui	Roukema	Wicker
McCarthy (MO)	Royce	Wilson
McCarthy (NY)	Rush	Wolf
McGovern	Ryun	Wynn
McHale	Sabo	Young (AK)
McHugh	Salmon	Young (FL)
McInnis	Sanchez	

## NAYS—82

Abercrombie	Gutierrez	Owens
Baldacci	Hastings (FL)	Pastor
Becerra	Hilliard	Paul
Blagojevich	Hinchey	Payne
Bonior	Jackson (IL)	Rahall
Borski	Johnson, E. B.	Rangel
Brown (CA)	Kanjorski	Rivers
Brown (FL)	Kaptur	Roybal-Allard
Carson	Kildee	Sanders
Clay	Klink	Schumer
Clayton	Kucinich	Scott
Clyburn	Lee	Serrano
Conyers	Levin	Skaggs
Costello	Lewis (GA)	Stark
Coyne	Markey	Stokes
Cummings	McDermott	Stupak
DeFazio	McKinney	Taylor (MS)
DeGette	Meek (FL)	Thompson
Delahunt	Meeks (NY)	Thurman
Dingell	Menendez	Tierney
Dixon	Millender-	Torres
Doggett	McDonald	Waters
Engel	Mink	Watt (NC)
Evans	Mollohan	Waxman
Fattah	Nadler	Wise
Filner	Oberstar	Woolsey
Frost	Obey	Yates
Gephardt	Olver	

## ANSWERED "PRESENT"—1

Lowey

## NOT VOTING—32

Ackerman	Hefner	McDade
Berman	Inglis	Murtha
Boucher	Johnson, Sam	Poshard
Brady (PA)	Kennelly	Pryce (OH)
Cooksey	Kilpatrick	Scarborough
Davis (IL)	Lampson	Smith (OR)
Deutsch	Largent	Souder
Goode	Lipinski	Spratt
Graham	Livingston	Viscosky
Hall (OH)	McCollum	Wexler
Harman	McCrery	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said conference report was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said conference report was agreed to was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

## ¶110.39 S. 1722—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOEHLERT, pursuant to clause 5, rule I, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1722) to amend the Public Health Service Act to revise and extend certain programs with respect to women's health research and prevention activities at the National Institutes of Health and the Centers for Disease Control and Prevention.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas ..... 401  
affirmative ..... { Nays ..... 1

¶110.40 [Roll No. 529]  
YEAS—401

Abercrombie	Bryant	DeFazio
Aderholt	Bunning	DeGette
Allen	Burr	Delahunt
Andrews	Burton	DeLauro
Archer	Buyer	DeLay
Armey	Callahan	Diaz-Balart
Bachus	Calvert	Dickey
Baesler	Camp	Dicks
Baker	Campbell	Dingell
Baldacci	Canady	Dixon
Ballenger	Cannon	Doggett
Barcia	Capps	Dooley
Barr	Cardin	Doolittle
Barrett (NE)	Carson	Doyle
Barrett (WI)	Castle	Dreier
Bartlett	Chabot	Duncan
Barton	Chenoweth	Dunn
Bass	Christensen	Edwards
Bateman	Clay	Ehlers
Becerra	Clayton	Ehrlich
Bentsen	Clement	Emerson
Bereuter	Clyburn	Engel
Berry	Coble	English
Bilbray	Coburn	Ensign
Bilirakis	Collins	Eshoo
Bishop	Combest	Etheridge
Blagojevich	Condit	Evans
Bliley	Conyers	Everett
Blumenauer	Cook	Ewing
Blunt	Costello	Farr
Boehlert	Cox	Fattah
Boehner	Coyne	Fawell
Bonilla	Cramer	Fazio
Bonior	Crane	Filner
Bono	Crapo	Foley
Borski	Cubin	Forbes
Boswell	Cummings	Ford
Boyd	Cunningham	Fossella
Brady (TX)	Danner	Fowler
Brown (CA)	Davis (FL)	Fox
Brown (FL)	Davis (VA)	Frank (MA)
Brown (OH)	Deal	Franks (NJ)

Frelinghuysen
Frost
Furse
Gallegly
Ganske
Gedjenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goodlatte
Goodling
Gordon
Goss
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Heger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hoolley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kildee
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lantos
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Livingston
LoBiondo
Lofgren

Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Quinn
Radanovich
Rahall
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers
Rohrabacher
Ros-Lehtinen

## NAYS—1

Paul  
NOT VOTING—32

Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Spence
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tierney
Torres
Towns
Trafficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Weygand
White
Whitfield
Wicker
Wilson
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

*Ordered*, That the Clerk notify the Senate thereof.

¶110.41 PROVIDING FOR THE  
CONSIDERATION OF CERTAIN  
RESOLUTIONS IN PREPARATION FOR  
THE ADJOURNMENT OF THE SECOND  
SESSION SINE DIE

Mr. SOLOMON, by direction of the Committee on Rules, reported (Rept. No. 105-818) the resolution (H. Res. 594) providing for consideration of certain resolutions in preparation for the adjournment of the second session sine die.

When said resolution and report were referred to the House Calendar and ordered printed.

¶110.42 SUSPENSION OF THE RULES  
NOTICE

Mr. SHAYS, pursuant to House Resolution 589, at 6:38 p.m. announced the Speaker would recognize Members for motions to suspend the rules under clause 2 of rule XXVII with respect to the following bills to be considered on Wednesday, October 14: H.R. 599, to amend title 38, United States Code, to add bronchiolo-alveolar carcinoma to the list of diseases presumed to be service-connected for certain radiation-exposed veterans; S. 1397, to establish a commission to assist in commemoration of the centennial of powered flight and the achievements of the Wright brothers; S. 1733, to require the Commissioner of Social Security and food stamp State agencies to take certain actions to ensure that food stamp coupons are not issued to deceased individuals; H.R. 3963, to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana; H.R. 4501, to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public; H.R. 3878, to subject certain reserved mineral interests of the operation of the Mineral Leasing Act, and for other purposes; H.R. 3972, to amend the Outer Continental Shelf Lands Act to prohibit the Secretary of the Interior from charging State and local government agencies for certain uses of the sand, gravel, and shell resources of the Outer Continental Shelf; S. 759, to amend the State Department Basic Authorities Act of 1956 to require



the Secretary of State to submit an annual report to Congress concerning diplomatic immunity; H.R. 4519, to authorize the President to consent to third party transfer of the ex-USS Bowman County to the USS LST Ship Memorial, Inc.; S. 610, to implement the obligations of the United States under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction, known as "the Chemical Weapons Convention" and opened for signature and signed by the United States on January 13, 1993; H.R. 4243, to reduce waste, fraud, and error in Government programs by making improvements with respect to Federal management and debt collection practices, Federal payment systems, and Federal benefit programs, and for other purposes.

## ¶110.43 SUBPOENA

The SPEAKER pro tempore, Mr. SESSIONS, laid before the House the following communication from Ms. Betsy Boyd, District Director, office of the Honorable Peter A. DEFAZIO:

PETER A. DEFAZIO,  
U.S. HOUSE OF REPRESENTATIVES,  
October 6, 1998.

Hon. NEWT GINGRICH,  
Speaker, U.S. House of Representatives,  
Washington DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule L (50) of the Rules of the House of Representatives, that I have been served with a grand jury subpoena ad testificandum issued by the United States District Court for the District of Oregon.

I will make the determinations required by Rule 50 in consultation with the Office of General Counsel.

Sincerely,

BETSY BOYD,  
District Director.

## ¶110.44 SENATE BILLS AND CONCURRENT RESOLUTION REFERRED

Bills and a concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1642. An Act to improve the effectiveness and performance of Federal financial assistance programs, simplify Federal financial assistance application and reporting requirements, and improve the delivery of services to the public; to the Committee on Government Reform and Oversight.

S. 1722. An Act to amend the Public Health Service Act to revise and extend certain program with respect to women's health research and prevention activities at the National Institutes of Health and the Centers for Disease Control and Prevention.

S. Con. Res. 123. Concurrent Resolution to express the sense of Congress regarding the policy of the Forest Service toward recreational shooting and archery ranges on Federal land; to the Committee on Agriculture; in addition, to the Committee on Resources for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

## ¶110.45 ENROLLED BILLS SIGNED

Mr. THOMAS, from the Committee on House Oversight, reported that that committee had examined and found

truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2411. An Act to provide for a land exchange involving the Cape Cod National Seashore and to extend the authority for the Cape Cod National Seashore Advisory Commission.

H.R. 2886. An Act to provide for a demonstration project in the Stanislaus National Forest, California, under which a private contractor will perform multiple resource management activities for that unit of the National Forest System.

H.R. 3796. An Act to authorize the Secretary of Agriculture to convey the administrative site for the Rogue River National Forest and use the proceeds for the construction or improvement of offices and support buildings for the Rogue River National Forest and the Bureau of Land Management.

H.R. 4081. An Act to extend the deadline under the Federal Power Act applicable to the construction of a hydroelectric project in the State of Arkansas.

H.R. 4248. An Act to authorize the Government of India to establish a memorial to honor Mahatma Gandhi in the District of Columbia.

H.R. 4659. An Act to extend the date by which an automated entry-exit control system must be developed.

## ¶110.46 BILL PRESENTED TO THE PRESIDENT

Mr. THOMAS, from the Committee on House Oversight, reported that that committee did on this day present to the President, for this approval, a bill of the House of the following title:

H.R. 1659. To provide for the expeditious completion of the acquisition of private mineral interests within the Mount St. Helens National Volcanic Monument mandated by the 1982 Act that established the Monument, and for other purposes.

## ¶110.47 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. SCARBOROUGH, for today.

And then,

## ¶110.48 ADJOURNMENT

On motion of Mr. HAYWORTH, at 10 o'clock and 33 minutes p.m., the House adjourned.

## ¶110.49 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, report of committees was delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SOLOMON: Committee on Rules. House Resolution 594. Resolution providing for the consideration of certain resolutions in preparation for the adjournment of the second session sine die (Rept. No. 105-818). Referred to the House Calendar.

## ¶110.50 PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of Rule X and clause 4 of Rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SHAW (for himself, Mr. DEUTSCH, Mr. RAMSTAD, Mr. HASTINGS of Florida, Mr. DIAZ-BALART, Ms. ROS-LEHTINEN, Mr. BILIRAKIS, Mr. FOLEY, Mrs. MEEK of Florida, Mr. DAVIS of Florida, Mr. WEXLER, Mr. MCCOLLUM, and Mr. CAMP):

H.R. 4819. A bill to provide for the continuation of preclearance activities for air transit passengers and enhanced inspectional services for vessel passengers, and for other purposes; to the Committee on Ways and Means.

By Mr. SENSENBRENNER:

H.R. 4820. A bill to impose accountability on the International Space Station, and for other purposes; to the Committee on Science.

By Mr. SMITH of Texas:

H.R. 4821. A bill to extend into fiscal year 1999 the visa processing period for diversity applicants whose visa processing was suspended during fiscal year 1998 due to embassy bombings; to the Committee on the Judiciary.

By Mr. GILLMOR (for himself, Mr. OXLEY, Mr. MANTON, Mr. DEAL of Georgia, Mr. BURR of North Carolina, Mr. HALL of Texas, Mr. WHITFIELD, Mr. LARGENT, Mr. TOWNS, Mr. WAXMAN, Mr. TAUZIN, and Mr. SHIMKUS):

H.R. 4822. A bill to require the Securities and Exchange Commission to require the improved disclosure of tax effects of portfolio transactions on mutual fund performance, and for other purposes; to the Committee on Commerce.

By Mr. KOLBE (for himself and Mr. STENHOLM):

H.R. 4823. A bill to amend the Internal Revenue Code of 1986 to provide for retirement savings for the 21st century; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KOLBE (for himself and Mr. STENHOLM):

H.R. 4824. A bill to amend title II of the Social Security Act to provide for individual security accounts funded by employee and employer social security payroll deductions, to extend the solvency of the old-age, survivors, and disability insurance program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MENENDEZ:

H.R. 4825. A bill to require proof of screening for lead poisoning and to ensure that children at highest risk are identified and treated; to the Committee on Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. LANTOS, Mr. MCGOVERN, Mr. YATES, Mr. WAXMAN, and Mr. FROST):

H.R. 4826. A bill to provide victims of the Holocaust access to their insurance policies; to the Committee on Commerce, and in addition to the Committee on International Relations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey:

H.R. 4827. A bill to amend the Fair Housing Act to provide an exemption for restrictions on the occupancy of group homes by persons convicted of certain crimes; to the Committee on the Judiciary.

By Mr. THOMPSON:

H.R. 4828. A bill to amend the Poultry Products Inspection Act to cover birds of the

order Ratitae that are raised for use as human food; to the Committee on Agriculture.

By Ms. LOFGREN (for herself, Mr. GEPHARDT, Mr. BONIOR, Mr. DEFazio, Mr. DELAHUNT, Mr. SANDERS, Ms. KAPTUR, Mr. FRANK of Massachusetts, Ms. SLAUGHTER, Mr. STARK, Mr. FILNER, and Mr. BROWN of Ohio):

H. Res. 595. A resolution concerning the need to improve working conditions at the Han Young truck factory in Tijuana, Mexico; to the Committee on International Relations.

By Mrs. ROUKEMA (for herself and Ms. KAPTUR):

H. Res. 596. A resolution expressing the sense of the House of Representatives with respect to the seriousness of the national problems associated with mental illness and with respect to congressional intent to establish a "Mental Illness Working Group."; to the Committee on Commerce.

#### ¶110.51 ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 371: Mr. GEKAS and Ms. WATERS.  
H.R. 599: Ms. BROWN of Florida.  
H.R. 902: Mr. LoBiondo, Mr. LAHOOD, Mr. SOUDER, Mr. COMBEST, and Mr. WHITE.  
H.R. 979: Mr. FOSSELLA.  
H.R. 1354: Mrs. JOHNSON of Connecticut.  
H.R. 1500: Mr. CUMMINGS, Ms. LEE, and Mr. MEEKS of New York.  
H.R. 1916: Mr. DUNCAN.  
H.R. 2153: Mr. HINCHEY.  
H.R. 2331: Mr. COYNE.  
H.R. 2346: Mr. KENNEDY of Rhode Island, Mr. SHERMAN, Ms. ROYBAL-ALLARD, Ms. KILPATRICK, and Mrs. MCCARTHY of New York.  
H.R. 2549: Mr. ORTIZ.  
H.R. 2635: Mr. ROTHMAN.  
H.R. 2754: Ms. LOFGREN and Mr. JACKSON of Illinois.  
H.R. 2882: Mr. GOODLATTE.  
H.R. 2914: Mrs. JOHNSON of Connecticut.  
H.R. 2951: Mr. GOODE.  
H.R. 2953: Mr. EVANS.  
H.R. 3099: Mr. GOODLATTE.  
H.R. 3251: Mr. DEFazio.  
H.R. 3281: Mr. JACKSON of Illinois.  
H.R. 3341: Mr. FARR of California and Mr. ABERCROMBIE.  
H.R. 3572: Mr. SAXTON.  
H.R. 3622: Mr. STARK.  
H.R. 3758: Mr. JACKSON of Illinois.  
H.R. 3779: Mr. BURR of North Carolina and Mr. BILBRAY.  
H.R. 3792: Mr. PICKERING.  
H.R. 3802: Mr. JACKSON of Illinois.  
H.R. 3879: Mr. LEWIS of California.  
H.R. 3915: Mr. MINGE.  
H.R. 3956: Mr. DEFazio, Mr. HINCHEY, and Mrs. MINK of Hawaii.  
H.R. 3991: Mr. MCINNIS.  
H.R. 4031: Ms. SLAUGHTER.  
H.R. 4036: Mr. LAZIO of New York and Ms. VELAZQUEZ.  
H.R. 4092: Ms. ROYBAL-ALLARD.  
H.R. 4197: Mr. HILLEARY.  
H.R. 4203: Mr. SAXTON.  
H.R. 4209: Mr. SHERMAN.  
H.R. 4217: Mr. MANZULLO.  
H.R. 4235: Mr. WELDON of Florida.  
H.R. 4281: Mr. MANZULLO.  
H.R. 4344: Mr. BONIOR.  
H.R. 4403: Ms. ROYBAL-ALLARD and Mr. BENTSEN.  
H.R. 4449: Mr. MANZULLO.  
H.R. 4455: Mr. METCALF.  
H.R. 4478: Ms. LOFGREN and Mr. LUTHER.  
H.R. 4479: Ms. LOFGREN and Mr. LUTHER.  
H.R. 4514: Mrs. MORELLA.  
H.R. 4553: Mr. SKAGGS.  
H.R. 4563: Mr. BACHUS, Mr. SHERMAN, and Mr. FRANK of Massachusetts.

H.R. 4590: Mr. KENNEDY of Rhode Island and Mr. ETHERIDGE.

H.R. 4621: Mrs. WILSON.  
H.R. 4666: Mr. SANDERS.  
H.R. 4674: Ms. ROYBAL-ALLARD.  
H.R. 4676: Mr. BARRETT of Wisconsin.  
H.R. 4683: Mrs. MORELLA and Mr. SERRANO.  
H.R. 4689: Mr. FAZIO of California.  
H.R. 4692: Mr. BARRETT of Wisconsin.  
H.R. 4765: Mr. FOSSELLA.  
H.R. 4778: Mrs. MYRICK.  
H. Con. Res. 128: Mr. SPRATT.  
H. Con. Res. 258: Mr. JACKSON of Illinois.  
H. Con. Res. 328: Mr. FORBES and Mrs. KELLY.  
H. Con. Res. 340: Mrs. CUBIN, Mr. BLUNT, Mr. KING of New York, and Mr. HOSTETTLER.  
H. Con. Res. 341: Mrs. CUBIN, Mr. BLUNT, Mr. KING of New York, and Mr. HOSTETTLER.  
H. Con. Res. 342: Mrs. CUBIN, Mr. BLUNT, Mr. KING of New York, and Mr. HOSTETTLER.  
H. Res. 16: Mr. SCARBOROUGH.  
H. Res. 151: Mr. FRANKS of New Jersey.  
H. Res. 483: Ms. CARSON and Mr. ENGEL.  
H. Res. 519: Mr. PORTER.  
H. Res. 561: Mr. BONIOR and Mrs. ROUKEMA.  
H. Res. 566: Mr. GILLMOR.

### WEDNESDAY, OCTOBER 14, 1998 (111)

#### ¶111.1 DESIGNATION OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BLUNT, who laid before the House the following communication:

WASHINGTON, DC,  
October 14, 1998.

I hereby designate the Honorable ROY BLUNT to act as Speaker pro tempore on this day.

NEWT GINGRICH,  
*Speaker of the House of Representatives.*

#### ¶111.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BLUNT, announced he had examined and approved the Journal of the proceedings of Tuesday, October 13, 1998.

Pursuant to clause 1, rule I, the Journal was approved.

#### ¶111.3 CANYON FERRY RESERVOIR LAND CONVEYANCE

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 3963) to establish terms and conditions under which the Secretary of the Interior shall convey leaseholds in certain properties around Canyon Ferry Reservoir, Montana, as amended.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. HANSEN and Mr. MILLER of California, each for 20 minutes.

After debate,  
The question being put, viva voce,  
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. GILLMOR, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶111.4 MINERAL LEASING

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 3878) to subject certain reserved mineral interests of the operation of the Mineral Leasing Act, and for other purposes, as amended.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. HANSEN and Mr. MILLER of California, each for 20 minutes.

After debate,  
The question being put, viva voce,  
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to subject certain reserved mineral interests to the operation of the Mineral Leasing Act, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

#### ¶111.5 OUTDOOR RECREATIONAL IMPROVEMENTS FOR PERSONS WITH DISABILITIES

Mr. HANSEN moved to suspend the rules and pass the bill (H.R. 4501) to require the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve the access for persons with disabilities to outdoor recreational opportunities made available to the public.

The SPEAKER pro tempore, Mr. GILLMOR, recognized Mr. HANSEN and Mr. MILLER of California, each for 20 minutes.

After debate,  
The question being put, viva voce,  
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. GILLMOR, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MILLER of California objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. GILLMOR, pursuant to clause 5, rule I, announced that further proceedings on the motion were postponed.

The point of no quorum was considered as withdrawn.

#### ¶111.6 NOTICE—CONSIDERATION OF RESOLUTION—QUESTION OF PRIVILEGES

Mr. TRAFICANT, pursuant to clause 2(a)(1) of rule IX, announced his intention to call up the following resolution,